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# A New Charter for Freedom

IN THE cold war that some have already proclaimed, the case for the West rests on its championship of "certain inalienable rights" of man. Unless the United States, which in effect speaks for the West, holds on to those rights, cultivates them, assures their exercise, and protects them against all comers, it will have no case at all in the eyes of the world, and its power to persuade will vanish. Nothing could be more timely, therefore, than the report of the President's Committee on Civil Rights, a document of such uncompromising boldness that it at once exposes the "moral dry rot" in our midst, provides the most specific steps to clean it out, and displays before the world that corrosive self-criticism which is democracy's saving grace, its boundless advantage over dictatorship.

Eleven months ago, President Truman, foreseeing the wave of intolerance that invariably follows a great war, appointed a committee of fifteen, headed by Charles E. Wilson, president of General Electric, to investigate the dark corners of the Republic and to recommend measures for their illumination. He asked for concrete results, and now he has them. Rarely has a government commission made so broad and variegated a study of American life. It found much to be proud of, and it records the belief that "in no other nation have so many people come as close to this ideal [of freedom and equality] as in America," but, in line with its function, it necessarily focused its attention "on the bad side of our record on what might be called the civil-rights frontier." Here it found a "pervasive gap between our aims and what we actually do," and the 173 pages of the report* are filled with examples of "moral erosion," some blatant and violent like lynching, others "continuing, quiet, omnipresent practices which do irreparable damage to our beliefs." Despite a marked decline in lynchings over a period of twenty years, "it is still possible for a mob to abduct and murder a person in some sections of the country with almost certain assurance of escaping punishment for the crime." And this "is merely a striking form of the broad and general immunity from punishment enjoyed by whites . . . for less extreme offenses against Negroes." J. Edgar Hoover told the committee of a particular jail where "it was seldom that a Negro man or woman was incarcerated who was not given a severe beating, which started off with a pistol whipping and ended with a rubber hose."

The temptation is strong to go on citing from the report, which proceeds from a discussion of such violent blasphemies against the basic creed of the nation on through the whole sordid story of disfranchisement, discrimination, and segregation—it shows clearly how "the 'separate but equal' rule has not been obeyed in practice"—down to seemingly little but galling outrages such as Washington's annual marble tournament in which segregated contests yield two victors, the white boy being automatically designated champion and the Negro child runner-up. The quota system in schools of higher learning, directed against Jews, and sometimes Catholics, as well as Negroes, comes in for a good share of attention. So does discrimination in employment, "the war-time gains of Negro, Mexican American, and Jewish workers" being "lost through an unchecked revival of discriminatory practices." Restrictive convenants in the field of housing, shabby discriminations in the armed forces, and a dozen other expressions of abysmal prejudice are reviewed, all tending to make second-class citizens of Negroes everywhere, and of Jews, Mexican Americans, Orientals, and other minorities in various sectors of American society. Government itself comes in for sharp treatment, not only for its laxness in the enforcement of law, but for its own discriminatory practices and for the dangerous looseness of its current procedure in protecting itself against disloyal employees. The capital city, ironically, is found to be "a graphic illustration of a failure of democracy."

THE recommendations for bridging the gap between the nation's theory of equality and its discriminatory practices fit roughly into administrative, legislative, and educational categories. The committee would greatly strengthen the now weak and understaffed Civil Rights Section of the Department of Justice, give it the service of regional offices, and create under the FBI a special unit of investigators trained specifically for civil-rights cases. Similar systems are recommended for the various states. A permanent Civil Rights Commission is sug-

* Being published this week as a pamphlet by Simon and Schuster, under the title "To Secure These Rights." There will be a special introduction by Chairman Wilson. The price is $1. The report was also printed in full in last Sunday's week-end *PM*.

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gested as an adjunct of the Executive Office, and Congress is urged to establish a joint standing committee on the subject—presumably with a different personnel from that of the Un-American Affairs Committee, whose mayhem on civil rights is regrettably ignored in the report.

The President's committee scorns the rationalization that prejudice cannot be eradicated by law. On the contrary, the report says, "the achievement of full civil rights in law may do as much to end prejudice as the end of prejudice may do to achieve full civil rights." Its proposals for legislation include everything liberals have been demanding for many years, and some that few of them have ever thought of. Among the most urgent, if obvious, are those calling for a complete overhauling of the archaic and ineffective civil-rights statutes, a federal anti-lynching law, either Congressional or state action to abolish the poll tax, laws to protect the right of qualified persons to take part in primaries, local and national suffrage for the District of Columbia, federal and state fair-employment-practice acts, the outlawing of restrictive convenants, and state fair-educational-practice laws to prohibit discrimination in the admission and treatment of students in other than denominational schools.

More novel than these is the proposal, opposed by a minority of the committee, to withhold federal funds from all institutions—schools, public-health services, housing projects, and the like—in which segregation is practiced, though "a reasonable interval" would be allowed for "adjustment to such a policy." The minority believes no less in the elimination of segregation "as an ultimate goal" but opposes the imposition of a federal sanction.

On the thorny question of political extremists, the committee, taking special cognizance of the Canadian espionage trials, recognizes the government's duty to rid itself of disloyal workers, but asks for due process with specific rules of evidence, a bill of particulars, the right of the accused to confront witnesses, and other judicial safeguards, and it rejects conviction by mere association. Outside the sphere of government, it adheres to the traditional libertarian position for complete freedom in the market-place of ideas, but it would discourage political double-dealing by requiring all groups that "attempt to influence public opinion to disclose the pertinent facts about themselves through systematic registration procedures." Federal taxing and postal powers would be used to compel such organizations to report the names of their officers, the sources and disbursement of their funds, and their organizational purposes. Those who use first-class mail for large-scale mailings would be required to file disclosure statements similar to those now in force for second-class mail, and, as a further curb on irresponsible propagandists, no mail at all

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would be carried that did not bear the name and address of the sender.

Individual recommendations in the committee's report may be argued. Some will be regarded as politically impossible, others perhaps as tactically unwise. But the committee was not appointed to play politics or devise strategy; it was directed to make a searching study of a grave weakness in American society and to propose correctives. This it has done magnificently, and with a sense of history. Twice before, it points out, the nation found it necessary to review the state of its civil rights—in the period from 1776 to 1791 and in the era of the Civil War. The first self-examination yielded the Bill of Rights; the second, the Reconstruction amendments. Now the time has come for a third advance: morally, because the country "can no longer countenance these burdens on its common conscience, these inroads on its moral fiber"; economically, because "it can no longer afford this heavy drain upon its human wealth, its national competence"; and politically, because "the final triumph of the democratic ideal is not so inevitable that we can ignore what the world thinks of us or our record."

President Truman hopes the report, significantly titled "To Secure These Rights," will prove "an American charter of human freedom in our time." In part, that depends on him; in greater part, it is up to Congress; but, above all, it is up to the country. However much of the charter it succeeds in having enacted, it can, by the very act of fighting for it, clear the air of the poisonous vapors generated by the political hysteria of the moment.

# *The Shape of Things*

MR. THOMAS'S TRAVESTY IN WASHINGTON was called off last week—*siny dye,* as the chairman put it—but its after effects are still being registered. The hearings were in the spirit of fascism, and the faces of the Un-American Committeemen wore the look of fascists. Americans should study both proceedings and faces—this week's newsreels provide an instructive exhibit—so that they may recognize the stigmata. What the hearings meant, politically and legally, is discussed on pages 492 and 494 by I. F. Stone and Robert W. Kenny. Mr. Kenny who, with Bartley C. Crum, is acting as counsel for the subpoenaed Hollywood witnesses, sets forth his reasons for holding that the Thomas committee is unconstitutional. His analysis explains the refusal of ten of the witnesses to answer questions as to whether or not they were Communists and provides the legal grounds for his appeal to Speaker Joseph W. Martin, Jr., to nullify the citations for contempt brought against them for refusing. If Kenny's request is rejected, as seems probable, the constitutional issue will be promptly pressed in the courts, and eventually the Supreme Court will have an opportunity to decide whether an "inquiry" of the sort conducted by Mr. Thomas and his colleagues is permissible under the Bill of Rights. The problem is a legal one, but the issue is political, as I. F. Stone clearly demonstrates and as was proved in action by the mob that broke up the protest meeting of the Progressive Citizens of America in Independence Square in Philadelphia last Saturday. If the ghost of Benjamin Franklin was on hand for that rowdy attack, he must have wondered how far his country has advanced since he helped frame the constitutional guaranties under which the protest meeting was held.

✶

IN THE PAST WEEK, SENATOR TAFT HAS BEEN attempting to establish a party line which, if accepted by his fellow-Republicans, promises to turn the special session of Congress into a bitter partisan battle. In regard to Europe, the Senate leader and Presidential aspirant has indicated he is willing to vote limited assistance, but he told a Boston audience that he considered "the Marshall Plan, in its present form, beyond all reason." Like many other Republican members of Congress, Mr. Taft obviously believes that the schedules of requirements drawn up by the sixteen European nations at their Paris conference last summer are hopelessly inflated and represent a bargaining position. Most students of European economy, on the other hand, believe the Paris report actually underestimates American assistance needed for recovery. Under pressure from State Department officials to pitch their requests as low as possible, the European experts made a number of assumptions in regard to recovery prospects which many economists consider unrealistic. Nevertheless, Mr. Taft has no qualms in proposing that Europe's needs in 1948 can be met by a grant of $4½ billion, little more than half the amount requested by the Paris committee. Administration officials working on the European recovery plan have been dismayed by this suggestion. They point out that it is in the next twelve months that the foundations for recovery must be laid. Europe's plans for increasing its own production are dependent on the early receipt of adequate supplies of food, raw materials, and equipment. In fact, if Taft's views prevail, all hope of early European recovery will be at an end; what we shall have is another temporary relief scheme.

✶

ONE REASON WHY THE SENATOR IS INTENT on shaving every possible dollar off foreign aid is his determination to pass a tax-reduction bill during the special session. Mr. Taft has been telling his audiences that a cut in taxes is one way to check the rise in prices. His reasoning on this matter is not easy to follow. In his speech at Boston on October 28, he declared: "Today the tremendous income of the people . . . produces a de-

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mand much greater than production can supply and has inevitably forced a rapid increase in prices." Exactly! But surely it follows that a reduction in taxes, by increasing disposable income, will add to demand and strengthen the upward pressure on prices. Mr. Taft's theory, we gather, is that a tax cut will tend to lower production costs and so induce business men to lower prices. This could happen if the tax cut applied to corporation profits, though we very much doubt that it would so long as the supply of most goods remains inadequate to meet demand. But, in any case, we understand that the tax bill which the Republicans want to pass is intended to reduce personal income taxes, which can hardly be said to be an important factor in business costs. Is it conceivable, for instance, that if a tax cut raised Eugene Grace's take-home pay by $30,000, the Bethlehem Steel Corporation would be encouraged to slash the price of steel? Come, come, Senator, you know better than that, and you shouldn't insult your audiences by assuming that they don't.

*

HOOVER ONLY ENVISAGED ONE CHICKEN IN every pot and a car in every garage. The sponsors of a new radio program are dedicated to the proposition that there must be three compacts on every dressing table—one tailored model, one for dressier daytime wear, and one for evening, to suit various "apparel moods" and "color accents." The announcer drew a harrowing picture of how you'd feel if, when you were all dressed up, you brought forth an old compact or one not perfectly suited to your aforementioned apparel mood. "Accessorize," he pleaded, "with discrimination." The new program is a quiz with Groucho Marx officiating. Instead of Four Marx Brothers we now have one Marx Brother and three compacts. This tendency has great possibilities. According to the law of diminishing Marx Brothers, on the day when every woman in the world has three compacts—and the clothes to go with them—even that Fifth Marx Brother, Karl, who asked the original $64 question, may have disappeared from the boards.

*

TAKING OVER THE CHAIRMANSHIP OF THE Democratic National Committee, Senator J. Howard McGrath announced that he had no "magic formula for success," a point that he immediately proceeded to prove. Instead of lustily wading into what is certain to be a desperate struggle, he chose the soft approach of the conciliator, and he drew the inevitable blank. The Southerners of his own party, long disgruntled over the abolition of the two-thirds rule which used to give them a veto power far out of proportion to their strength, have been agitating for extra convention votes for all states that went Democratic at the last election. McGrath proposed at the committee meeting to give them each a bonus of four votes. More important, he prevented the committee from issuing a blistering attack on the Republicans' conduct of the Eightieth Congress. The subcommittee on resolutions had drawn up a fighting statement charging the G. O. P. with having blocked every decent measure of social welfare, "placed partisan politics above love of country," and "sacrificed the welfare of the people . . . in favor of pandering to the wealthy few at the top." McGrath told the committee to tear up the resolution. It was "a little too bitter at this time," he said, and would endanger Republican cooperation with the President's emergency program for European aid. The results of his kid-glove approach, which was obviously distasteful to retiring Chairman Bob Hannegan, were discouraging. The Southerners complained bitterly that four extra votes were not enough, and the Republicans sensed only weakness in the new leader of their opposition. Senator Taft bluntly replied that politics would not be suspended for the special session, and G. O. P. Chairman Reece blasted McGrath as a "millionaire Rhode Island Red." All of which proves once again that, compared with the way of appeasers, the way of transgressors is a flower-strewn path.

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THE COUNCIL OF ECONOMIC ADVISERS, IN ITS report to the President on the domestic effects of a foreign-aid program, admits frankly that financing European needs on an adequate scale will place some strain on both the physical and the financial resources of the United States. On the other hand, it points out that the strain will be a diminishing one, since, at the levels of new foreign aid under discussion, the export surplus will be less than in the past year, while domestic output of goods can be expected to expand. The report stresses the fact that "failure to authorize new aid programs would be likely to spell industrial paralysis for some countries, with the possibility of serious social disturbance and political reorientation. It is . . . impossible to calculate the impact of such a development on our own long-run economic situation. It might impose the necessity for increased military expenditure and would, without doubt, impair the outlook for a stable and peaceful world economy." The committee concludes, therefore, that the Marshall Plan conforms with vital American interests. But, it insists, it is essential to offset the inflationary effects of a foreign-aid program by bold government measures. Among the steps it recommends are continuation of present taxes, reduction in other government expenditures, allocation of scarce commodities such as steel, retention of export controls, and the enlargement of government powers to check credit expansion. The committee evidently fears that such measures may prove insufficient, but, while it suggests that "at least minimum powers for a more frontal attack upon these price increases should be made available," it fails to throw light on the strategy and tactics to be employed.

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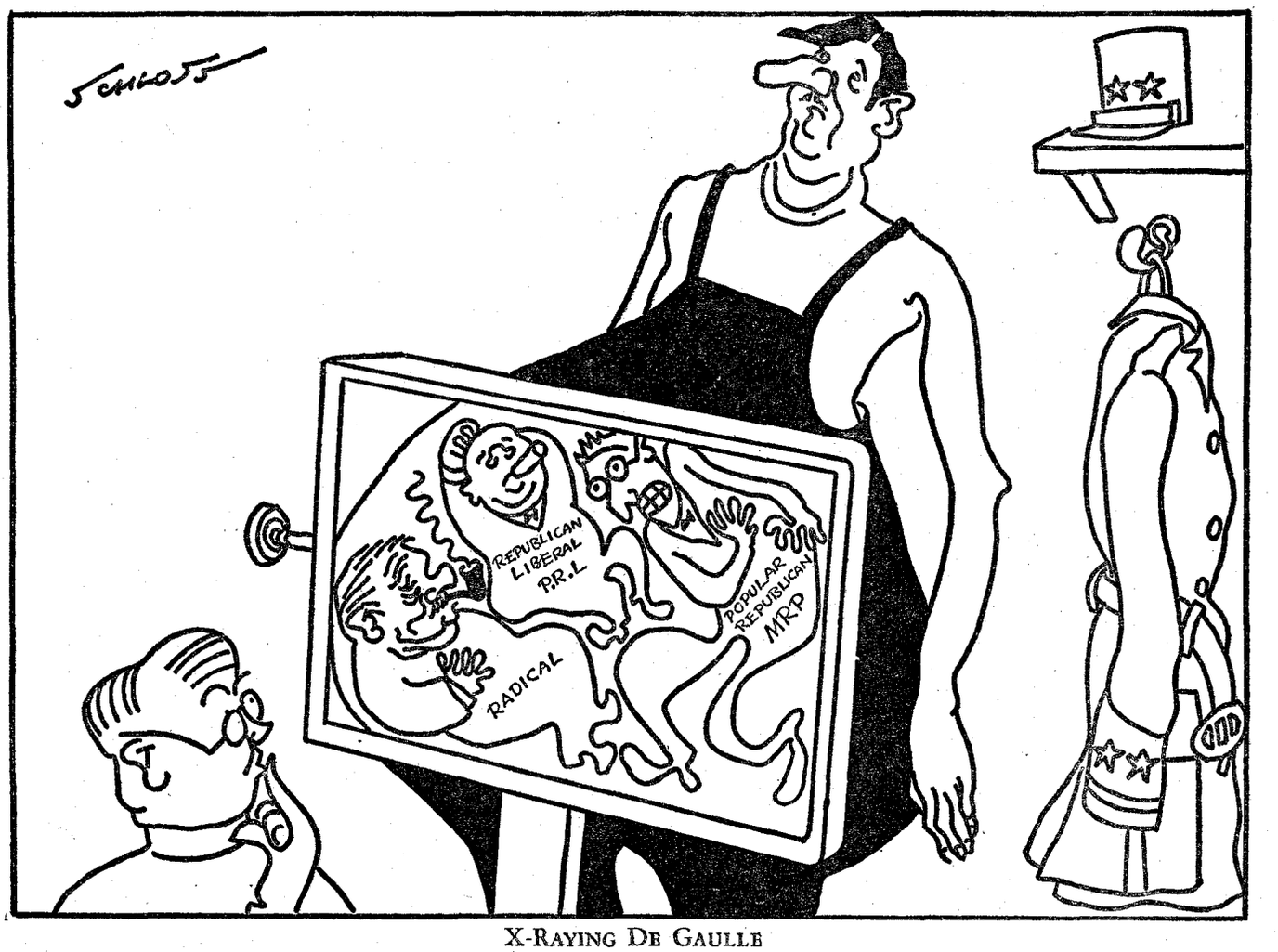
AMERICA'S PROPOSAL THAT THE PARTITION of Palestine be carried through by July 1 and that Britain meanwhile continue to administer the country is not popular in London. The United States plan would leave Britain in charge during a period in which British officials expect violent disorders as the result of a decision sure to be rejected by Arab leaders. That they will accept such an obligation is hard to believe; their general position is pretty well summed up in the remark of an unnamed Foreign Office spokesman quoted in the New York *Times* on Sunday: "I am inclined to take the view," he said, "that a British soldier is no more bullet-proof than a G. I." The British answer has not been made as this comment is written, but the attitude of Mr. Creech-Jones last week, before he left for home, seemed unyielding. The Colonial Secretary stuck firmly to the view he had presented in the Assembly: Britain would accept any Palestine solution that was acceptable to Jews and Arabs; it would not bind itself to help enforce a solution that was unacceptable to either group; it was determined to withdraw its forces "soon," in any case. American officials take a different view: Britain should be willing to carry the responsibilities of the mandate until a new system, approved by the United Nations as successor to the League, has been installed. Behind this insistence, one can detect the further desire to avoid any method of implementation that would require the use of either American or Russian troops.

*

PERHAPS A WAY OUT MAY BE FOUND through the Russian proposal calling for termination of the British mandate by January 1, the early withdrawal of troops, and the immediate appointment by the Security Council of a commission which, during an interim period of not more than one year, would serve both as administrative authority and agent for the implementation of the partition plan. This scheme would relieve Britain of the responsibility it has so firmly declined to carry and give the Council the authority it should assume. What it leaves out is the critical issue of enforcement. A U. N. commission cannot by itself insure an orderly transition, especially if the Arabs finally refuse to accept partition. To impose that plan, some force will certainly be required, and we doubt greatly the wisdom of leaving the job to the Jewish army, acting alone. Assuming British withdrawal, it seems evident that some international armed force will be essential if disorder is to be prevented. In the absence of a permanent U. N. police force, we suggest that the subcommittee consider the establishment of a small interim force made up of contingents contributed by three or more "disinterested" member states to act under the authority of the Security Council.




X-RAYING DE GAULLE

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# *The Grand Inquisition*

BY I. F. STONE

*Washington, October 31*

IT WOULD be easy to be cute about the pratt-fall with which the House Committee on Un-American Activities ended two weeks of hearings on the movie industry. No such inquiry is complete nowadays without the disclosure of some attempt to steal the atom bomb. By sophisticated standards the atom-bomb sensation produced by the committee was a dud; the ties between it and the film industry were of Rube Goldbergian tortuousness. Unfortunately, relatively few readers of newspapers will get beyond the flaring headlines which link Hollywood with atom-bomb spying.

It would be difficult to imagine a more far-fetched example of slander by association. A Soviet consul in San Francisco is alleged to have "offered" money to an oil-company scientist in 1942 to obtain information on some secret radiation work at the University of California. This scientist went to a faculty member, who in turn approached J. Robert Oppenheimer, later but not then in charge of the atom-bomb project at Los Alamos. Oppenheimer is said to have declared that he regarded such attempts to obtain information as treasonable. There is no allegation that any information was supplied. All this occurred in San Francisco.

How was it linked to the film industry? At this point the plot, as told by Louis J. Russell, a committee investigator, really thickened. The first scientist in the chain was a dinner guest two years later of Mrs. Louise Bransten, who stands accused of having helped to get Gerhard Eisler out of a concentration camp in France, of having aided many Communist causes, and of having given a dinner for Manuilsky, chief delegate of the Ukraine, during the San Francisco conference. Mrs. Bransten is alleged to have been helped in the Eisler rescue by a former State Department employee who knew John Howard Lawson and Herbert Biberman, two of the film writers cited for contempt in the film inquiry. The presumed clincher is that both these writers had also been dinner guests of Mrs. Bransten.

Even the committee investigator, Russell, who is not paid to be judicious, did not charge that anyone in the film industry had any part in trying to steal atom-bomb secrets, if any such attempt actually was made. That it was made is highly doubtful, unless the FBI and the Department of Justice are also in cahoots with Moscow. Russell said he gave this story to the Justice Department more than a year ago, and it took no action. Certainly it must have made an investigation, but scientist no. 1 in this Charlie Chan chain was allowed to leave for England recently to work for the Shell Oil Company. Would he have been allowed to leave if he had tried to obtain atomic secrets for the Russians? But for every newspaper reader who examines the dispatches closely enough to ask himself that question, there will be ten thousand who glance at the headline "Film Reds Linked to Atom-Bomb Plot," and turn to the sports pages with the feeling that something will have to be done about these reds.

The literate and the thoughtful must not deceive themselves. The committee is succeeding in its objectives: to build up an impression that Communists have penetrated everywhere; that they menace the prize national possession, the atom bomb; that something drastic will have to be done about them; that the peril warrants dismissal of appeals to constitutional rights as legal pettifogging, if not treasonable jesuitry. The state of mind being created is a kind of plot-and-persecution system akin to paranoid obsession and like paranoia impervious to correction by rational argument. The creation of this state of mind is the necessary preliminary for the emergence of a full-scale fascist movement garbed as militant Americanism. It is in this perspective, and not as some kind of unfortunate Congressional aberration, that one must view this latest in the long series of "hearings" by the Thomas committee and its predecessors. What the committee needs above all is attention, and the attention-getting potentialities of the movie star and the film industry are so much richer than anything else in American life that if there were no reds in Hollywood the committee would have to plant some.

AS SHEER spectacle, whether for the sophisticated or the unsophisticated, the movie hearings were the most superb performance yet put on by the committee. Outside the huge marble-walled caucus room of the old House office building on Capitol Hill a long line waited daily for a glimpse of the glamorous folk in attendance. "My wife," I heard a poorly dressed man plead with the policeman on duty downstairs, "wants to have a look at Humphrey Bogart." Within the guarded hearing-room the scene matched Hollywood's best in productions. On the right sat the ponderous moguls of the industry, with their handsome gray-haired counsel, Paul McNutt. A million dollars in movie names were scattered through the intent audience. In the front rows left sat perhaps the most affluent-looking group of alleged "reds" in modern history: earnest men, mostly young—only rich America could provide its alleged revolutionaries with

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such sleek clothes and Sulka ties. On the aisle, out-dazzled both by their clients and by McNutt, sat Bob Kenny and Bart Crum, the determined counsel of the accused screen writers. The rows of press tables in front of them were crowded with stellar by-lines, hemmed in by Klieg lights. And on the high bench presiding was the Grand Inquisitor himself—the bald, stout, red-faced apoplectic-looking J. Parnell Thomas. One could not imagine a more perfect piece of casting for his role.

THE first week's hearings were largely taken up with the lunatic fringe of the right, Hollywood's Liz Dillings, male and female. The second week was different. From the moment strong-faced John Howard Lawson hitched up his pants over a rather capitalistic paunch as he strode to the witness stand, it was clear that the committee was in for a fight. Lawson's stentorian voice, aided by a microphone, out-shouted both Thomas, no dulcet tenor, and Thomas's gavel, which broke the first day under the pounding he gave it. The committee is accustomed to quiet crucifixions and docile answers to loaded questions. One screen writer after another declined to give Thomas the pleasure of watching the victim squirm, and ten were finally cited for contempt. The key question, "Are you a Communist?" brought neither denial nor affirmation nor even a flat refusal to answer, but an insistence on shouting the committee down. At one point Thomas asked a witness almost pleadingly, "Can't you answer yes, no, or maybe?" and two witnesses were even allowed to read their statements.

"The committee is determined," Thomas said at the beginning of the inquiry, "that the hearings shall be fair and impartial. We have subpoenaed witnesses representing both sides of the question." But the nearest the "accused" got to presenting their side, except for the reading of the two statements, was the chance to answer "yes" or "no" when they were asked about membership in the Screen Writers' Guild and the Communist Party. Their counsel, laying the groundwork for what will be a crucial test of the right of Congress to investigate in the sphere of ideas, were given no chance to cross-examine witnesses or rebut charges against their clients, and at one point were threatened with indictment for conspiracy if they had advised their clients not to answer. On each of the ten cited for contempt the committee released a voluminous dossier. These dossiers showed that the committee's investigators are constant readers of the Communist Party press: most of the information in them came from the *Daily Worker*, the rest from other party papers. That few of the "accused" could qualify as Republicans is hardly news. The dossiers were made up of numbered counts like an indictment; each purported to represent an "affiliation" with the Communist Party, but many of them could be brought forward against other leftists and liberals who are by no means party-liners. Aid to Spain, defense of one of a long list of leftists from Tom Mooney to Gerhard Eisler, a 1931 speech against the criminal-syndicalism laws, praise of Marx and Engels, membership in Consumers' Union or the P. C. A., showing "an active interest in the Soviet Union," and signing an ad in 1945 calling for breaking relations with Spain were among the "counts" in these indictments, which could set precedents for wider dragnet proceedings.

But the most striking feature of the hearings and the dossiers was the almost complete absence of allegations concerned with what was supposed to be the business of the inquiry—Communist propaganda in the films. The committee claims to have a list of complaints but seems hesitant to make it public. The hesitancy becomes clear when one notes the character of the only two films to which the "dossiers" object as communistic. One is "Blockade," the Lawson film about the Spanish civil war, which was covertly pro-Loyalist; the other, "The Brotherhood of Man," which Ring Lardner, Jr., helped to write for the Automobile Workers' Union. This was based on the pamphlet "The Races of Mankind," by Ruth Benedict and Gene Weltfish. It is significant that among those cited for contempt are men who have written or produced those few movies which give the Negro a break and attack anti-Semitism: for example, Edward Dmytryk and Adrian Scott, who were responsible for "Crossfire."

THIS inquiry must be fought by all men of good-will. The constitutional issues go to the very fundamentals of what may truly be called Americanism. If a Congressional committee can investigate ideas in the movies, it can investigate them in the press. The purpose is to terrorize all leftists, liberals, and intellectuals; to make them fearful in the film, the theater, the press, and any school of advanced ideas the Thomas committee can stigmatize as "red." In the films, as the transcript shows, the committee is out to give the moguls of the industry no rest

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until they not only take from the screen what little liberal and social content it has, but turn to making films which would prepare the way for fascism at home and war abroad. There were two revealing moments in the producers' testimony. Jack Warner, explaining the "subtle" methods of "red" screen writers, said, "They have the routine of the Indians and the colored folks. That is always their setup." And when Louis B. Mayer said he was going to start making some "anti-Communist films promptly," Thomas leaned forward with a grin and asked, "These hearings haven't anything to do with the promptness, have they?"

# *"Congress Shall Make No Law . . ."*

BY ROBERT W. KENNY

*Washington, October 29*

IT IS becoming increasingly clear that the conduct of the Congressional Committee on Un-American Activities cannot be authorized under the Constitution, that the House resolution by which it was formed is void, and that the provision of the Federal Administrative Procedure Act which embraces the resolution is invalid.

I intentionally separate the *conduct* of the committee from its *purported authority,* although I believe that the Constitution forbids any legislation which might seek to legitimize such conduct and that the purported authority for the conduct is not in fact valid. But even when we consider the conduct and the law separately, we arrive at the conclusion that what is being done violates one of the freedoms secured to the individual by the Constitution. In making the separation I am unnecessarily conceding ground to any defense of the committee which might be offered. I do not think that a court would consider separately the purported authority and the conduct of the committee.

All of us know that although the committee was ostensibly established for the purpose of proposing legislation, its real purpose is to intimidate all persons who hold radical or even liberal political opinions. It seeks to destroy the will to differ. Its methods of intimidation vary. Usually it publicly denounces its chosen victims as reds and thus injures or destroys their economic security. If the victims are wage-earners, their employers are prejudiced against them. If they are professionals, they lose favor with their clients.

In the case of the motion-picture industry, the committee has publicly marked some twenty persons for destruction—twenty persons in an industry which employs over 30,000. But twenty executions can still a city: all the inhabitants will be intimidated. It is not necessary to be sure that the chosen victims belong to any particular political category. The Nazis have shown that hostages may as well be selected by lot as by any other method.

THE procedure in the hearing-room might conceivably be defended if the committee were genuinely seeking facts for the purpose of proposing legislation—although this is questionable. At its whim it holds hearings in secret. Counsel may be admitted, but his right to speak is strictly curtailed and often denied, as is the opportunity to cross-examine witnesses or to make a statement in his client's defense. *The entire hearing is aimed at the committee's press release.* This, not legislation, is the committee's real purpose. No court could blind itself to this fact, and I do not think the courts will. Even after secret hearings the witness, on leaving the building, has sometimes been greeted by headlines furnished in advance by the committee. Opinion cannot be suppressed by legislation, but it can be intimidated by publicity. The purposes and the methods of the committee are all of a piece—but not of a piece with the Constitution.

The First Amendment to the Constitution forbids the passage of any law "abridging" freedom of speech or of the press. The amendment, couched in language which denies power to Congress ("Congress shall make no law . . ."), recognizes an existing right of the people; you can "abridge" only what already exists. The little area of individual freedom walled in by this amendment is identical with that exposed for inquiry and legislation by the resolution and the "law" under which the committee acts. "Propaganda activities" lie precisely within the area which Congress must not touch.

Our Supreme Court has held that justification for the power of Congressional inquiry cannot be sought in English parliamentary precedents, since the House of Lords, unlike Congress, is a court as well as a legislative body. Although Congress exercises some judicial powers, as in impeachments and in passing on the qualifications of its members, its power—outside of these specified exceptions—is legislative only. Inquiry, properly a function of a judicial body, can be exercised by Con-

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gress only as a necessary incident of its legislative power. *Where it can make no law, it has no power to inquire.* The present inquiry, therefore, since it is within the area proscribed by the First Amendment, is unconstitutional.

It is worth while to ask whether the word "un-American" adds anything to Congress's powers. Although Congress can pass no law abridging propaganda activities, could it nevertheless pass a law abridging *un-American* propaganda activities? Apart from the fact that the meaninglessness of the word "un-American" is enough of a hole to sink the statute in, it is clear that the use of the word adds nothing to the power of inquiry. If any one area more than another was the prime concern of those who insisted on the First Amendment, it was the area of politics and political controversy. The right to agitate for what is not, at any given moment, popular is precisely what is protected by the First Amendment—including, I dare say, the right to agitate for an amendment altering any part or the whole of the Constitution. Far from aiding the law, the word "un-American" nails down the self-condemnation it already carries.

TURN now to the resolution itself. There are those who argue that its words and intent have been perverted by the committee. Is this so? Can the committee now be "reformed" by rewording the resolution? I do not think so.

The resolution establishing the House committee was first passed in 1938. The committee's conduct has not altered substantially in the decade since the resolution was made law. If the meaning which the various committees on un-American activities have accorded the resolution over the years were different from what Congress intended, Congress could have changed the law in any one of four sessions. It has not done so.

The bare language of the law is plumped out by the history of the committee. There can be no doubt that the resolution itself violates the First Amendment. It is true that this situation presents new questions to the courts. But it is also true that much law yet remains to be made concerning the power of Congressional inquiry. The scope of that power, the occasions for its exercise, and its limiting circumstances have been the principal problems presented to the Supreme Court. Many of the abstract questions of power have been settled, usually in favor of Congress. *But the question of the rights of the individual when affected by the exercise of Congressional power has yet to be presented—and has yet to be settled.* The powers of Congress are not absolute. The Bill of Rights, like the federal system, is a limitation of the powers granted to Congress. The first ten amendments were framed to preserve the rights of individuals, but they are meaningless unless they also restrain the powers of government. This is elementary constitutional law.

The power to compel disclosure, particularly in secret session, is a most drastic power. Justice Sutherland and others have said that the right to be let alone is one of the most precious of all rights, next only to life itself. Freedom of choice in political questions is the staple of our democracy; without it America would not be America. The right of privacy, our Supreme Court has said, is one of the rights protected by the Fourth Amendment. The secret of the confessional, the confidential character of communications in privileged relationships, and other areas of inquiry when they relate to political opinion have traditionally been beyond the power of government agencies. It is inconceivable that these rights, singly or together, are not a limitation on the power of Congress to inquire, whether for legislative or other purposes.

*J. Parnell Thomas*

PERHAPS the clearest injunction against the committee can be found in the Fourth Amendment, which assures to the people the right "to be secure in their persons . . . against unreasonable searches." Although this amendment is usually invoked when illegally procured evidence is used in criminal cases, our courts have held that it is applicable as a defense against any arm of the federal government. They have held that what constitutes an "unreasonable" search presents a judicial question. Little if any extension of previous decisions would be required to include protection against compulsory disclosure under the right of the people to be secure in their persons.

Lawyers and judges are familiar with the type of case in which the facts themselves are so eloquent that they dictate the law, even in the absence of precedent. The situation presented by the conduct of the un-American Activities Committee is that kind of case. Lawyers, judges, and scholars may differ about the reasons to be given for the conclusion; I think there can be little dispute about the conclusion itself. In my opinion, no official body in the past two decades has brought so much discredit on Congress as this committee. The injury done to decent people has been all the worse because it has been done under the cover of law.

In the light of the committee's history, its effects on the American scene, and the suffering it has caused in private lives, I do not think there can be any doubt about the decision that will ultimately be handed down by the Supreme Court of the United States.

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# *The Sexual Code of the Roman Church*

BY PAUL BLANSHARD

NOBODY knows exactly where the elaborate sexual code of the Roman Catholic church came from. It has developed by accretion over a period of nineteen centuries until today it is probably the most important part of Catholic moral philosophy. Perhaps it ought to be called an anti-sexual code, because the primary emphasis has always been upon the sin rather than the joy in sex. It would be unkind to suggest that even priests interpret the universe in terms of their own frustrations, for, after all, Freud's wisdom was not available to the early popes who clamped celibacy upon a reluctant clergy.

The anti-sexual emphasis of early Christianity came partly from the Orient, where certain ascetic cults glorified celibacy and masochism. These cults spread westward at about the time that Paul and his associates were building the early church. Paul himself was notably anti-sexual, and his followers carried his teaching to such an extreme that by the third century Origen achieved victory over his lower nature by castrating himself. The church has now repudiated castration both for monks and for choir boys, but it still exalts virginity as man's noblest condition. Cardinal Gibbons went so far in his "Faith of Our Fathers" as to suggest that Jesus chose his closest disciples on the basis of their virginity and when he went to heaven chose a special band of 140,000 virgin angels for the same reason.

From primitive beginnings the Catholic sexual code has expanded until today it covers every aspect of sexual life. The Catholic moral manuals in their specific descriptions go far beyond any novel ever banned by the effort of Anthony Comstock or John Sumner. They boast that there is no sexual sin which a competent priest is not prepared to handle in confessional, and for every sexual situation they contend that there is a specific Catholic answer.

If, for example, a Catholic girl is raped, the priest instructs her that she may remove the male sperm by mechanical means within the first ten hours and still remain a good Catholic, but she may not, married or unmarried, perform a similar act under any other circumstances without definite risk of hell. If, after being raped, she fails in her efforts to remove the sperm, "once conception has taken place, nothing may be done" ("Medical Ethics for Nurses," by Charles J. McFadden, Foreword by Fulton J. Sheen, Davis, imprimatur Cardinal Dougherty, pp. 136-37).

If a non-Catholic woman is converted to Catholicism and her husband deserts her after refusing to accept her creed, the converted wife may remarry a good Catholic with the church's blessing under the so-called Pauline Privilege, but every other form of divorce is a mortal sin (*ibid*, p. 54). At the same time nullification of a marriage is obtained far more easily in the Catholic than in the civil courts.

If a Catholic doctor is asked to test the potency of a husband who seeks medical advice in establishing a family, he may direct the man and wife to have intercourse and then remove the male sperm for testing immediately afterward, but if he should secure such spermatozoa for his microscope slide after masturbation by the husband, both doctor and husband are guilty of mortal sin (Decree of the Holy Office, August 2, 1929).

One can imagine the astonishment and bewilderment of Jesus if he returned to this mortal sphere and heard members of the Roman Catholic hierarchy expound these tortuous and detailed sexual regulations as a basic part of his teaching. The Biblical evidence is absolutely clear that Jesus never said anything specific about birth control, large families, sexual perversion, masturbation, or sterilization. He never established a celibate priesthood or directed believers not to marry unbelievers. His most distinctive contribution to sexual ethics was one contemptuous sentence spoken to a group of Pharisees in the presence of the woman taken in adultery: "He that is without sin among you, let him first cast a stone at her."

Since the church has developed its own techniques for plucking selected precedents out of history, this shortage of divine authority in sexual matters has not greatly embarrassed the Catholic hierarchy. Today, as the hierarchy gains strength in the genial and tolerant climate of America, the sexual code is being asserted with increasing aggressiveness. Sometimes it is dressed up with all the latest clichés of science by earnest young Catholic Ph.D.'s who write theses supporting the sexual views of

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St. Thomas Aquinas. More often it is imposed upon unsophisticated congregations by half-educated priests with a confidence which amazes Protestants and Jews, who can find no warrant for these doctrines in the Scriptures.

## Birth Control

THE Roman Catholic sexual doctrines which have excited the most opposition in the United States are concerned with marriage, divorce, sterilization, venereal disease, and birth control. Of these five the doctrine on birth control is now drawing the heaviest fire.

Just why Pius XI finally slammed the door on all kinds of contraception as late as 1930 is hard to understand. Before that the ecclesiastical utterances on the subject were very hostile but not absolutely conclusive. The aged Pius had just piloted the Vatican to a Concordat with Mussolini, and perhaps he felt that the future belonged to dictatorships in both the moral and the political field. At any rate, he announced in his famous encyclical "Casti Connubii" that birth control is "against nature" and that "any use whatsoever of matrimony exercised in such a way that the act is deliberately frustrated in its natural power to generate life is an offense against the law of God and nature, and those who indulge in such are branded with the guilt of grave sin."

Pius used as Biblical authority for this position the story of Onan in Genesis XXXVIII, which relates how Judah ordered his second son, Onan, to marry his brother's widow and "raise up seed" to him, and how Onan, not wishing to give his brother credit for paternity, "spilled [it] on the ground" during intercourse, whereupon God slew him.

As soon as Pius XI gave the signal, the celibate theologians of almost every nation in the world jumped into the fray against the rising birth-control movement. It would be hard to imagine a worse thing for the hierarchy to have done if it wished to win the friendship of intelligent non-Catholics in the United States. The strength and prestige of the opposition were completely miscalculated. Since the days when Margaret Sanger first went to jail, birth control has become so respectable that almost all well-to-do people in the United States, Catholic and non-Catholic, practice it to some extent. In fact, if the Catholic opposition, acting as a pressure group, did not block legislative reform in many states, the idea of birth control as a human right would be almost universally accepted in this country. The Planned Parenthood Federation of America lists 584 centers in the country which give not only contraceptive advice to married couples but valuable aid in overcoming infertility. Some six states include planned-parenthood counseling in their public-health services, and most scientists regard child spacing as essential to family happiness. In a world whose inhabitants have doubled in the last century and may soon total five or six billion, the eugenists see no solution to the population problem unless human beings learn to regulate their reproduction.

Intelligent Catholics know all these things and are rebelling against the church's attitude. The birth-control clinics of the Planned Parenthood Federation in nearly every part of the United States are used by Catholic women in about the same proportion as by non-Catholic women. At least three national public-opinion polls have demonstrated that Catholic women do not follow their priests on this subject. When the *Ladies' Home Journal* asked its women readers in 1938 if they believed in the right to disseminate birth-control information to married couples, 51 per cent of the Catholic women polled said yes. When *Fortune* posed a similar question in 1943, 69 per cent of the Catholic women said yes. A Roper poll in Connecticut reported that 54.9 per cent of the Catholic women voting said yes.

This defiance by Catholic women has driven the priesthood into a corner. In self-defense it has resorted to frantic vilification of the birth-control movement. Twisting the plain medical facts about birth control, it has pretended that contraception is likely to cause cancer, that it destroys the health of married women, and that it is a form of abortion. It has so intimidated the legislature in many states that there can be no scientific dissemination of birth-control knowledge to the masses of the people, who need the information most.

When *Look* magazine in its issue of April 1, 1946, published a sober factual review of the clinical work of the Planned Parenthood Federation of America, the top-ranking layman of the Archdiocese of New York under Cardinal Spellman wrote a reply, published in the issue of May 6, in which he accused the federation of advocating "education in animal functions completely divorced from morality and ethics," and declared that such education meant training people "to be sexually promiscuous with least risk of pregnancy or venereal disease." "The planned-parenthood program," he wrote, "assumes that the cure for beastliness is to teach juveniles how to get away with acting like beasts." This philippic against an organization with which some of the most respected bishops and rabbis of the country were associated aroused violent criticism among Catholics.

Faced with this type of response from within the church, the hierarchy found a tiny loophole in the papal encyclical of 1930, and two years later came forward with a Catholic "birth-control" formula sponsored by the very prelate who had directed the New York City police to break up a Margaret Sanger meeting (Coucke and Walsh, "The Sterile Period in Family Life," imprimatur Cardinal Hayes). The hierarchy's "discovery" was the "rhythm method," a formula based upon the theory that conception takes place during eight days a month, mid-

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way between menstrual periods, and that if intercourse is carefully limited to the sterile periods, pregnancy is avoided. This method is without sin because it is a "natural" method. Whether it is "natural" or not, it is certainly an unreliable method of birth control. Moreover, the "rhythm" theory puts the church in a ludicrously paradoxical position, with the priests in one breath condemning the arguments for child spacing and in the next using those arguments to support planned intercourse in the Catholic pattern.

But reason and logic now play a decidedly secondary role in the Catholic war against birth control. The Pope has spoken, and the political prestige of the hierarchy is at stake. The specious distinction between scientific and "natural" birth control must be defended as divine and eternal because the Holy See has indicated that it is a doctrine in the field of "faith and morals." Who would venture to suggest that it was only an unfortunate mistake by an old man who had never been married and had never studied medicine?

The front-line trenches in the birth-control battle are in Massachusetts and Connecticut, the only two states in the union which make it illegal for a doctor to give birth-control information to his own married patients. Although only about 40 per cent of the people of Massachusetts are Catholics, the hierarchy has so terrorized the legislators by threats of pulpit pressure on voters that men who practice birth control themselves are afraid to stand on their feet and fight for a revision of the antiquated law.

In 1942, when the Massachusetts birth-control forces proposed a referendum on a revision of the law which would *permit* doctors to give contraceptive advice to their patients, they encountered one of the most fantastic campaigns of misrepresentation in the history of American politics. For many Sundays, from almost every Catholic pulpit in the state, priests fulminated against birth control as murder, and on the Sunday morning before election circulars were distributed at church doors saying that the proposed revision of the law would legalize abortion.

The referendum was defeated, but by a margin of only about seven to five in spite of this campaign, and the liberals have now started a new drive for revision which will probably lead to a vote in the fall of 1948. The opening gun was fired in the church's counter-offensive when four leading Protestant and Jewish gynecologists were discharged from the courtesy staff of the Catholic hospital in Springfield because they favored a revision of the state law. In Connecticut six doctors were similarly discharged, and the hierarchy temporarily defeated the drive for revision by holding the state senate in line after the birth-control forces had captured the house.

## Venereal Disease

THE church's position on venereal disease is somewhat less dogmatic than on birth control, but its unrealistic attitude has been for years a major obstacle to the development of a sound national program of education. Only last June it was the Catholic War Veterans who blocked the continued distribution by the army of match-books which contained printed information on the control of venereal disease. Last November the *American Ecclesiastical Review* published the following official statement in its question-and-answer column for priests (p. 389):

> *Question.* Would a husband ever be justified in using a condom when having relations with his wife—namely, if his only purpose is to protect his wife from a disease with which he is afflicted, and there is absolutely no possibility that she will ever again become pregnant? Could he argue in such a case that what he is doing is no sin inasmuch as he is not preventing conception?
>
> *Answer.* . . . Even if his only purpose in performing the act in this manner is to protect his wife from disease, he would still commit a grave sin, for a good end does not justify the commission of an intrinsically evil act.

The hierarchy, of course, officially combats venereal disease, but in practice it still acts on the assumption that the whole subject is a nasty one, not suitable for general public discussion. So it consents to health examinations before marriage but opposes any "teeth" in health-examination laws. "The formal prohibition of marriage which would inevitably follow in such a law from the fact of an unfavorable certificate . . . must be rejected on grounds of principle as well as opportunism," says Raoul de Guchteneere in his "Judgment on Birth Control" (imprimatur of Cardinal Hayes, p. 99). Only the church has the right to say that people shall or shall not marry. "The legal obligation to obtain a certificate of good health before marriage . . . implies a disguised form of the abuse of civil power, of its intrusion into a territory of which it is not the sole arbiter."

Dr. de Guchteneere reveals the Catholic philosophy which lies behind this part of the sexual code by saying:

> The value of progeny is not to be measured by physical qualities but lies entirely in the high dignity of that supernatural destiny which is common to all. Even the marriage of the feeble-minded is forbidden only on the ground of their inability to make a valid contract and not on account of the possible quality of the offspring.

This same philosophy explains the Catholic opposition to sterilization laws. The hierarchy says that the state can hang or sterilize a man if he has committed a crime but that it cannot morally cooperate even in voluntary sterilization of the insane or feeble-minded in order to protect society against unfit progeny. In the twenty-seven states which now permit some sterilization of the unfit the

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church's moral manuals instruct Catholic judges flatly to defy the law. Father Francis J. Connell, associate professor of moral theology at the Catholic University of America, says in his 1946 textbook, "Morals in Politics and Professions" (imprimatur, Archbishop of Baltimore-Washington, p. 33), after declaring that no Catholic judge could ever approve mercy killings, "Similarly, in those states which now prescribe or permit eugenic sterilization for certain types of defectives and criminals no circumstances can justify a judge in giving a decision that the law should be put in operation."

It would be interesting to bring a test case in some American court some day to determine whether a Catholic judge, sworn to enforce the law of his state without reservation, could obey this ecclesiastical edict and still observe his judicial oath.

## Marriage and Divorce

THE marriage and divorce codes of the hierarchy are well known to most Americans, but they deserve some mention because many persons do not realize how sweeping and dogmatic they are. To the hundreds of thousands of young Catholics throughout the world who married hastily and not too wisely during the war period the church says in effect: you may never remarry and start life over again. The prohibition against the marriage of divorced persons is carried so far that a Catholic social worker may not, under threat of excommunication, advise a divorced Catholic woman to marry her lover even when she is living in sin with him openly and both are eligible for marriage under the civil law. Father Connell, in a chapter on Catholic social work in his book cited above, puts it this way (p. 169):

> For even though her position is at stake, the social worker may not give advice that will directly induce her client to violate the law of God. Similarly, when the social worker finds a couple living together unmarried and incapable of entering marriage because of some impediment of divine law (but permitted to marry by civil law) she may not suggest a civil marriage, even as a mere formality to obtain civil effects. Indeed, in the United States, where the Third Council of Baltimore inflicts a censure of excommunication on a Catholic who attempts remarriage after a civil divorce, a social worker might so concur in the commission of this sin by her counsel as to incur herself the same penalty.

This edict is handed down by a hierarchy which permits nullification of marriages in its own courts on grounds which would be regarded as too flimsy for consideration in the courts of any state of the Union.

Probably the most offensive item in the Catholic sexual code for non-Catholics is the rule on mixed marriage. Although the church belongs to a number of "tolerance fronts," the hierarchy declares that in all ordinary cases it is a sin for a Catholic to marry a Protestant or a Jew and that such a marriage is null and void unless a special dispensation is granted, and even then the non-Catholic party must sign the following oath or its equivalent:

> I, the undersigned, not a member of the Catholic church, wishing to contract marriage with N. N., a member of the Catholic church, intend to do so with the understanding that the marriage tie cannot be dissolved except by death, and promise her on my word of honor that she shall enjoy free exercise of her Catholic religion, and that all the children of either sex born of this marriage shall be baptized and educated in the faith and according to the teachings of the Roman Catholic church (Father John A. O'Brien, "The Faith of Millions," Preface by Cardinal O'Connell, p. 290).

Father O'Brien adds that "the Church forbids her children to attempt [*sic*] to contract matrimony before the minister of a heretical sect. Those unworthy members who deliberately and wilfully violate that solemn law the Church punishes with excommunication."

For most Americans there is something distinctly unsporting in taking advantage of the high exaltation of young love to impose upon one of the parties in marriage a proselyting agreement. It is not surprising that young Catholics are rebelling against this use of marriage to obtain "converts" and to establish Catholics as a separate class in a tolerant American community. Recent studies by priests show that mixed marriages are increasing at a startling rate in spite of ecclesiastical pressure, and that a very large proportion of mixed families are permanently lost to the church.

Nor is it surprising that increasing numbers of Catholics regard the narrow sexual code of the church with horror and disgust, and refuse to believe that it has any necessary place in their faith. The Catholic author Harry Sylvester, in his recent novel "Moon Gaffney," has a liberal Catholic say: "I think what I mind is the relish with which the clergy, many of whom do not understand the meaning of their own chastity, tell their people they must fill three-room flats with children on their $28 a week." Mr. Sylvester has probably put his finger on the core of the problem. But the solution is another matter. Catholic laymen have no control over doctrinal matters in the church today.

Many laymen believe that a married priesthood might help the situation, and the abolition of celibacy has often been suggested. Such a reform is not unthinkable. Celibacy is a disciplinary requirement, not a dogma, and it does not apply now to the Oriental section of the Roman priesthood. But this natural remedy for sexual fanaticism encounters one great economic obstacle: how much would it cost? Catholic education is based upon the celibacy of its teaching nuns, and the whole educational system of the church might collapse if its teachers were allowed to live a normal life.

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# *Liberation, Limited*

BY J. KING GORDON

*Lake Success, November 1*

THERE'S an interesting figure around the corridors, lounges, and committee rooms at Lake Success these days. He's a thin, lanky individual in clerical collar and the robes of a priest of the Church of England. He has an ascetic, scholar's face but more than an academic fire in his eye. He looks a bit lonely in the cheerful group that inevitably gathers in the delegates' lounge after the rancorous committee debates. I've heard him described as a crackpot. But the Reverend Michael Scott, who has lived in South Africa since 1926, strikes me as being one of those too infrequent crackpots who take seriously the Sermon on the Mount, the Bill of Rights, and the Charter of the United Nations.

You see, he has come all this way to present a petition from a tribe of natives, the Hereros, in Southwest Africa who claim they don't want to be annexed to the Union of South Africa but instead want the territory brought under the United Nations Trusteeship Council. They claim their lands have been forcibly taken away from them. They don't like the Union government's native policy. And they would like the United Nations to send out an inquiry commission to see for itself. Scott is not greatly impressed by South Africa's claim that the majority of the native peoples just can't wait to be annexed. Nor does he appear moved by the erudite legal arguments which attempt to prove that there is nothing in the Charter compelling South Africa to convert its old mandate into a trusteeship. He has a regrettable habit of slipping back to that phrase of the Charter which declares that in territories which have not yet attained a full measure of self-government the interests of the inhabitants are paramount.

It cannot be said, however, that the natives whom the Reverend Michael Scott represents have been without their effective spokesmen. India has been valiantly fighting their battle—as it has fought the battle of colonial peoples everywhere against those imperial powers whose penitence for past sins and yearning for reform have been encased in a hard shell of vested interest. The Soviet Union, perhaps for other reasons, has also taken up their fight. And in committee, at least, the Indian resolution, which stated that the last Assembly's request to South Africa to bring its mandate under the Trusteeship Council conformed to "the clear intention of the Charter," was carried. But it received only a small majority, and in the plenary session, where a two-thirds' majority was required, the watered-down Danish version was the best that could be put through. So it is hoped that the Union of South Africa—without any legal or moral pressure from the United Nations—will accede to the Assembly's twice-repeated request. But it is doubtful whether Michael Scott's Hereros will see hide or hair of a U. N. commission for a while.

In Indonesia the story is slightly different. Here India, the Philippines, Australia, the U. S. S. R., and Poland have been leading the fight. Last week Colonel Hodgson of Australia made the surprising admission that perhaps Russia was right and the two sides should get back to their original ante-bellum lines. Of course, the thing that punctured the apparently impeccable case of that brilliant persuader, Van Kleffens, was the report of the consuls on the spot. Obviously slanted to favor the Dutch, the report, nevertheless, recorded the fact that the cease-fire order given by the Security Council had been interpreted in different senses by the two parties. The Indonesians had thought it meant to stop firing. And they had stopped. The Dutch believed it permitted mopping-up operations. And they had mopped up. But even this evidence was not sufficient to break old-school-tie solidarity, and gentlemen imperialists don't tick off one another. The American resolution, concealing its reprimand in the politest phrase, again urged everybody to stop shooting and called attention to the Council's committee of good offices now on the spot. Even Colonels Hodgson and Romulo thought it was the best possible under the circumstances. But Mr. Gromyko and the Indonesian representative were hardly satisfied.

ANOTHER former colonial people, the Koreans, who have suffered under a tougher brand of empire, will apparently have to whistle for their independence for some time to come. For the Thirty-eighth Parallel, dividing the Soviet world from the Western world, cuts their peninsula in two. The Soviet proposal for immediate withdrawal of all occupation forces would probably guarantee a Soviet Korea—which, thanks to American ineptitude in the south, may come anyway. Mr. Manuilski's boast that 99.2 per cent of the people in the Soviet zone support the provisional government provides a fairly clear definition of the kind of democracy that prevails north of Thirty-eight. And the north is apparently well equipped with fighting forces. The American proposal, which by the end of the week had been carried in principle, that a U. N. temporary commission supervise free elections before March 31, 1948, has been rejected by Russia. If it is pressed to the Security Council another veto seems certain.

Perhaps that phrase in the Charter should be slightly revised. The rights of the inhabitants of territories which have not yet attained a full measure of self-government should be paramount except where such rights interfere with the internal political problems of interested states, or where existing imperial claims are not yet liquidated, or where the big-power struggle entails holding a line.

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# What Rome's Election Meant

BY MARIO ROSSI

*Rome, October 20*

NEWS of the formation of the Belgrade bureau linking the Communist parties of nine European nations, Italy included, reached this country in time to play a big role in Rome's municipal election. Although the ostensible issues were purely local—to elect, from lists of candidates presented by thirteen parties, eighty municipal councilmen, who in turn would proceed to choose a mayor—the contest was really fought, as is usually the case in Western European elections, over a political ideology rather than a platform: its focus was the most burning question in Italian politics today—communism versus anti-communism. Popular feeling was polarized toward the two extremes, practically nullifying all political parties in between. On one side was the Popular Front (*Blocco del Popolo*) of the Socialist, Communist, Actionist, and Demo-Labor parties, claiming the support of the masses; on the other, the Christian Democratic Party, claiming leadership in the defense of "Christian civilization" against the "red peril."

There is no doubt that the Christian Democrats won. De Gasperi's party polled about 100,000 more votes than in last year's municipal election, while the Popular Front declined somewhat in strength. A comparison of the two elections may be useful for a better understanding of the present political alignment. A year ago the issues were not much different. Then, too, the chief problem was communism, but the position of the Christian Democratic Party was less clear. While collaborating in the government with the parties of the left, the Christian Democrats were then trying to establish their connections with the right. But De Gasperi was fearful of the repercussions that might follow a break with the left, and the bourgeoisie—according to reliable information, the Vatican too—expressed its discontent with him by showing a preference for a more extreme anti-leftist party. Thus Giannini's Uomo Qualunque front received more votes than the Christian Democrats. De Gasperi learned the lesson of that election, and understood that he could not stand ideologically with the right and still collaborate with the left: the moment would come when both right and left would let him down. By playing up the Communist bogy and taking advantage of the split within the Socialist Party, he was able to make an about-face and form a Cabinet whose life depended on Uomo Qualunque support in Parliament.

The right was better pleased with De Gasperi when this year he found it profitable to become the champion of anti-communism in Italy. The Uomo Qualunque front, moreover, had been weakened by a split in its ranks, which led to the formation of two new ultra-nationalist parties, the Italian Social Movement and Patrissi's Nationalist Movement for Social Democracy. Both are made up of former Fascists most of whom were freed from jail by a much too lenient amnesty; their propaganda follows closely the Fascist slogans of the period preceding the March on Rome. Benedetto Croce's Liberty Party has been practically wiped out, and severe losses were suffered by the Monarchists. Other losers were Pacciardi's Republicans and Saragat's Social Democrats. The parties right of center won forty-five seats in the Municipal Council as against thirty-five for those left of center. Saragat's followers are counted as left, but they might very well go along with the Christian Democrats or weaken the left by abstaining from voting.

THE election took place in an atmosphere of fear—fear of reaction and fear of communism. It is truly tragic that the influence of international power politics prevented the rise of a party democratic enough to assure independence of foreign interests and progressive enough to satisfy the masses' craving for social justice. *Risorgimento Liberale,* organ of the conservative Liberal Party, was right when it said: "Italians cannot be satisfied with a choice between red totalitarianism and what sooner or later would become black [clerical] totalitarianism. A non-clerical democracy should be a third alternative . . . and this undoubtedly represents the deepest aspiration of the majority of the Italian people."

Only the atmosphere of fear explains the success of the neo-fascist Italian Social Movement. "There is no doubt," commented the Socialist deputy Calosso, in Saragat's *Umanità,* "that from an electoral point of view fascism is stronger today than in 1919 and could again find the proper ground for violence and propaganda. . . . The present election reveals a situation that might easily lead to fascism and reaction." De Gasperi, however, is much too busy fighting the left to be disturbed by neo-fascism. And his attitude is understandable if one remembers that the first aim of Christian Democracy is to defend the position of the church, which always managed to get along with fascism. To the Christian Democrats anti-communism is not a matter of expediency but of religious principle. In this election they again found inspiration in the Vatican's official organ, *Osservatore Romano,* which described the formation of the new Comintern as a long step toward war. *Osservatore Ro-*

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*mano* has been conducting a subtle and unrelenting campaign against Russia and Russian satellite countries, especially Yugoslavia, in connection with the recent trials of Catholic clergymen. The Vatican argues that while the Pope is trying to do everything in his power to bring peace, the Communists, under orders from Moscow, are building up the material and spiritual conditions that lead to war.

IT WOULD be difficult to say to what extent the Rome vote is a preview of next spring's general election. It must not be forgotten that Rome is traditionally very conservative. Its inhabitants include about 70,000 priests, monks, and nuns, whom the *Osservatore Romano* had reminded for weeks of their duty to vote, and about 100,000 civil servants, always inclined to cast their ballot for whoever is in power.

The victory of the Christian Democrats, in which they received as many votes as the four parties of the left combined, will undoubtedly be followed by an all-out anti-left drive. And the left, unless it changes its tactics radically, may find itself in trouble next spring. The recent wave of strikes was a political blunder, identifying it with disorders and lawlessness. Another blunder of major proportions was Nenni's motion of "no confidence" in the De Gasperi Cabinet, when it was clear that one way or another the Premier would manage to obtain a majority. It simply allowed De Gasperi to make a show of strength from which he greatly profited.

A serious crisis in the Socialist Party was caused by the party executive's approval of the Warsaw declaration, which was taken as a further proof of acceptance of Communist leadership. After the ensuing dispute the party secretary, Lelio Basso, backed down and declared to the *Corriere di Milano* that there existed areas of disagreement with the Communist declaration. He said that Socialists do not identify the Truman Doctrine with the Marshall Plan. Nor do they share the Communist intention of causing the Marshall Plan to fail; on the contrary, they believe that Italy can contribute to the success of the plan by remaining independent of both the United States and Russia. A series of articles in *Avanti,* unsigned but in Nenni's style, tried to explain why the American people cannot possibly want war and advocated that Italy, instead of taking sides in the struggle between the great powers, should seek a basis of agreement with both. Obviously the Socialists are embarrassed and will be obliged to clarify their position. On their decisions may depend the outcome of the next general election and thus the fate of Italian democracy.

# *Sidney Webb and the Fabians*

BY KINGSLEY MARTIN

*London, October 25*

THE 1880's were a watershed—a period from which many social movements flowed. Victorian complacency had been effectively broken down, and with the beginning of big business and the imperialist search for new markets, socialism began to emerge. The particular form which British socialism took was in no small measure due to the work of the little group of Fabians of whom Sidney and Beatrice Webb became the energizing center. Together with Bernard Shaw, Graham Wallas, Lord Olivier, and others scarcely less distinguished, they read Karl Marx's "Kapital" and rejected Communist theory. They also parted company with the moral and religious branch of the Socialist movement which, mainly through the influence of the Independent Labor Party, formed its other wing.

They were an extraordinary little body of intellectuals. Webb, like Jeremy Bentham, examined all the tangle of British institutions of his day—legal, political, economic, and social—explained how they worked, tested them all by the standard of utility, and proposed constructive remedies. The Webb partnership carried out an immense body of solid research into British institutions. One of the most famous of their books, the "History of Trade Unionism," was later acknowledged by Lenin as a classic. The other side of their work was practical. They were unashamedly opportunistic: that was what Fabianism meant. They thought the old ruling class of England hopelessly inefficient, and they sought to substitute a responsible and scientifically trained body of elected persons. They hoped to penetrate the middle classes, not to rouse working-class passions. They trusted to persuasion, reason, and permeation. They believed that socialism would come, but that it must be evolutionary; their motto was the "inevitability of gradualness."

If gradualness was inevitable, they had to find its instruments where they could. At their house in Grosvenor Road they entertained and weighed up promising young Liberals like Lloyd George and Winston Churchill. They were friends of Haldane and Balfour, and it was Webb who drafted the Balfour Education Act of 1902. A few years later Mrs. Webb was appointed a member of the

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Poor Law Commission, and through the work they put into it, she and Sidney used what would otherwise have been a commonplace royal commission as the instrument for exposing the evils of a class society and for proposing innumerable practical reforms which are being completed only by our present government.

Other incidental activities were the founding of the London School of Economics and of the *New Statesman* in 1913. The Webbs also played an important part in bringing about that fusion of the Socialist and trade-union movements which is now the Labor Party, and having created the Labor Party, they proceeded, by their methods of writing, organizing, lecturing, and exerting personal influence, to give it the body of doctrine which is still today the orthodoxy of British socialism.

By 1924 enough of the middle classes had been permeated with socialism to enable Labor to take office, though in a minority position. Webb was president of the Board of Trade. In 1929 in Labor's second minority government Webb became Colonial Secretary. He had begun his career nearly forty years before as a civil-service clerk at the Colonial Office! He went to the House of Lords as Lord Passfield. He was not a successful minister. He had given innumerable effective lectures in his life, but his voice was insufficiently audible in that august chamber, and he had compiled so many admirable memoranda for other people that he was not accustomed to the job of final decision and policy-making which falls to the minister rather than to the civil servant.

After 1931 he was greatly disillusioned by the Labor split and disaster, and he and Mrs. Webb retired to Passfield Corners to spend the rest of their crowded lives completing their researches and in particular studying the Soviet Union. They were determined to study socialism in action. "Old people," they remarked, "are always absorbed in something, usually themselves; we prefer to be absorbed in the Soviet Union." They visited the Soviet Union; with the help of translators they read innumerable documents and books; they interrogated visitors to Russia of any nationality who could be induced to visit them in their home. At this period it was a remarkable and somewhat exhausting experience to spend the week-end at Passfield Corner. The visitor returned to London feeling that he had enjoyed an intellectual feast of the highest possible quality; given a strong digestion, the stimulus and nourishment would last for many days.

The Webbs always said that the English climate was the best in the world, because it was "never too hot or too cold to work or to walk." They did both tirelessly, and they had no desire to do anything else. They were never interested in the arts. Indeed, Bernard Shaw has often said that in the early days of their association the Webbs regarded him as a totally impossible person, an artist who refused to be fitted into any classification. So they put him into a special category of "sprites." They were prepared, in other words, to recognize that there were strange people who could not be dealt with as consumers or producers or people in need of some special form of state aid.

Unlike Sidney, who was the most simple and single-minded of people, Mrs. Webb was always interested in religion and in the complexities of human character. She asserted in her brilliant autobiographical volume, "My Apprenticeship," that she would have liked to write novels. But their concentration on social problems is well illustrated by two authentic stories. For a short time Lowes Dickinson, philosopher and poet, joined the Fabian Society. He told me that he left because Mrs. Webb said that "marriage is the wastepaper basket of the emotions." The other story has been repeated recently in the House of Lords. The Webbs on one occasion went to a performance of "Parsifal." When asked whether he enjoyed it, Sidney said with some enthusiasm that he had enjoyed the evening immensely because he was fortunate in sitting behind Lord Samuel and was able to have an "interesting conversation with him during the interval about the incidence of sickness during pregnancy." Such stories naturally accumulated round the Webbs, who did in fact live very much in that atmosphere of simple living and high thinking which H. G. Wells satirized in his caricature of them in "The New Machiavelli." It was therefore a surprise to many people to learn that when they were courting in Epping Forest they read together not government reports but the works of Wordsworth, who was always Sidney Webb's favorite poet.

It is a common delusion to think of the Webbs as inhuman. On the contrary, Mrs. Webb was very human indeed. She could lose her temper and show claws that could scratch. She was a fascinating mixture of aristocratic superiority, intellectual impatience, and puritanical morals. She was the most brilliant woman of our time, strikingly beautiful in appearance, swift in apprehension, and, like Sidney, utterly devoted to the public good. She was always interested in people and the play of politics, and her diaries when they are published will be full of inside stories and penetrating studies of her younger contemporaries. But in contrast to Mrs. Webb, who came from a wealthy family and never really got rid of upper-class prejudices, Sidney seemed devoid of class and was the most reasonable mortal who ever lived.

He was in fact infinitely kind and above the petty spites and jealousies of public life. I should say that his outstanding quality was his disinterested generosity: he wanted to see his ideas put into practice and never cared who got the credit. All his life ideas for political and social improvements bubbled from him like water from a well. It was a refreshing and energizing stream, which by its quality of sweet reasonableness has been the most potent and valuable influence in British politics for the last forty years.

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# *Del Vayo*—Inter-American Reaction

A STRONG wind of reaction is blowing across Latin America. As World War II drew to a close, everybody hoped that the hour had struck for the economic and political liberation of that great area of the Western Hemisphere where the Four Freedoms are just a rhetorical expression. Many of these countries needed only new capital and the reform of their oligarchic structures to release tremendous potentialities and create new, prosperous economies. Millions of poor devils, euphemistically classified as workers and farmers, looked to the Allied victory as the beginning of a new era; in 1944 freedom seemed close at hand. Today fascism is rapidly reconquering in Latin America part of the power it lost in Europe. A careful study of developments in the countries to the south over the past two years reveals—with a few honorable exceptions—a steady retrogression.

It is unnecessary to review the familiar cases of Paraguay and the Dominican Republic—little comic-opera dictatorships set against a backdrop of blood and buffoonery. No one is surprised at the frauds and repressions perpetrated by the second-rate *caudillos* of these countries, for theirs is an old story dating from before the war.

But what about a country like Chile, whose liberal tradition has been the pride of the Americas and where only a year ago the election of Gabriel Gonzalez Videla seemed to have brought to power—as I said at the time—a man capable of producing a presidential record comparable with that of the Mexican Lázaro Cárdenas? In a strike against the mining companies, whether Chilean or American, I would have expected Gonzalez Videla to nationalize the mines—not to declare war on thousands of workers whose average wage is less than a dollar for an unbroken eight-hour day. He has sent an army to protect the United States-owned copper mines at Chuquicamata and Potrerillos in northern Chile; he has set up military tribunals to try strikers throughout the mining region; he has exiled strike leaders to remote regions; and according to latest reports, he is preparing to ask Congress to lift the parliamentary immunity of deputies and senators of the Communist Party, which only a year ago participated in the government. A special cable to the New York *Times* on October 23 reported that "activity against suspected Communists has been intensified since the rupture of diplomatic relations with the Soviet Union, Yugoslavia, and Czechoslovakia."

The latest word is that the President has asked the other Latin American countries to follow Chile's example and break with Russia. One would have expected such a move from Perón—but never from Gabriel Gonzalez. I am sorry to have to write these words, for he has been a most devoted supporter of the Spanish Republican cause and an excellent friend of mine for years. The only explanation I can find is that the temporary insanity that has seized so many public men here and in Latin America has caught even such a militant radical as Gonzalez Videla.

Brazil, at least, was able to find a plausible pretext—an unfriendly article about President Dutra in the Moscow *Literary Gazette*—for breaking with the Soviet Union. But the Chilean government did not even wait for a pretext; it simply severed diplomatic relations with Russia, Yugoslavia, and Czechoslovakia, charging that certain labor groups in Chile were acting on orders from Moscow. Why Czechoslovakia was included remains a mystery; the only possible explanation lies in the theory of puppet states so dear to the typewriters of North American journalists. One of these days some ill-tempered editorial writer for *Pravda* will apply the theory in reverse and affront the dignity of the Latin Americans by describing the agility with which some of them adapt themselves to the political moods of Washington.

The coincidence between the policies of the United States and its good neighbors cannot be ignored. The anti-Soviet trend existed, it is true, in a number of countries, but it did not become official policy until the Inter-American Conference in Rio de Janeiro. There, according to reliable sources, plans for an anti-Communist offensive throughout the Western Hemisphere were thoroughly discussed at a meeting behind closed doors that was not reported in the press. This was logical enough. The military coordination of the Western Hemisphere for an eventual third world war would naturally be complemented by the political organization of a new "anti-Comintern" south of the Rio Grande. But it is disturbing that two countries of the importance of Brazil and Chile should have initiated the break with Russia. In spite of greater tension between the United States and Russia, in spite of the Truman Doctrine and the whole policy of containment, Washington has not gone to such drastic lengths. It would be ironical if one day the situation should improve and the Latin American states be forced to a sudden undignified scramble to restore relations. (I happen to be one of those who believe that at the coming Foreign Ministers' Conference in London the tension will relax.)

It is even more disquieting that leaders like Gonzalez Videla, Haya de la Torre, whose Aprista Party in Peru approved Chile's action, Grau San Martín, now bitterly hostile to the Cuban Communists with whom he had until recently excellent relations, and other leaders of Socialist or progressive middle-class parties have succumbed to the hysteria of the right. For in the end, if the present epidemic spreads, it will not be these men but rather such colonel-dictators as Rafael L. Trujillo and Juan Perón who will assume dominance in Latin America. The mistake of the European democrats who accepted Franco out of fear of Stalin will be repeated all over again in this hemisphere. It is the old mistake of believing that Socialists, liberals, and conservatives can together forge a coalition against communism which will result in a democratic victory. Such a plan would make sense only if liberal and Socialist forces could play a decisive role. But the experience of the last two decades proves that in such an alliance the crystallization of power is always around the extreme right, and the victor is always reaction.

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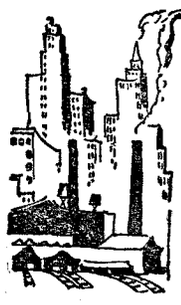

# EVERYBODY'S BUSINESS

BY KEITH HUTCHISON

## Too Much Money

THE basic cause of an inflationary rise in prices, such as we are now experiencing, is an increase in the supply of money without a corresponding increase in the supply of goods. Consequently, while inflation may be curbed by price controls, provided that there is widespread public cooperation in their enforcement, a real cure can be effected only by reducing the supply of money or by increasing the supply of goods or both.

For the past year we have, as a nation, been pinning our hopes on the second alternative. In the summer of 1946, when the debate over OPA was raging, the N. A. M. told us in full-page advertisements that the sole obstacle to a great expansion in production was the price-control system. Once free markets were restored, so the argument ran, production would zoom and competition would take care of prices. It is now a year since the OPA was junked, and the cost of living is 23 per cent higher than it was in mid-1946 and still climbing rapidly. Along with the rise in prices there has been a tremendous increase in profits for most industries but nothing like a commensurate increase in output. This is clearly shown by the Federal Reserve Board's index of industrial production (1935/39=100), which stood at 189 in January and reached a peak of 190 in March. In September it was 185, only 5 points above September, 1946.

We cannot blame labor troubles for this lag in production, for there have been few of importance in the past nine months. And while there is much talk about low labor productivity, such evidence as exists on this subject indicates that output per man-hour is on the up grade. We are forced to assume therefore that some industries, at least, have about reached output limits on the basis of present plant and available supplies of man-power and raw materials. The last of these factors seems to be a particularly troublesome bottleneck. For instance, numerous plants using steel as a raw material are unable to get large enough supplies for full-time operations, and their lag in output slows down production elsewhere. Thus the freight-car industry in recent months has been delivering less than half the units it is equipped to turn out, and lack of freight cars is forcing many coal mines to shut down two or three days a week.

While the supply of goods has been limping, the supply of money has bounded forward. This is not, as Senator Taft implied recently, mainly the result of high wages; it is due largely to a rapid growth in private borrowing. A report recently issued by the Institute of Life Insurance shows that personal indebtedness now stands at $45 billion compared to $32.7 billion in 1944. Of this increase $7.5 billion is accounted for by non-farm home mortgages—a reflection of the acute housing shortage. The remainder is represented by a rise in consumer credit, which at $10.9 billion has practically doubled. This jump has occurred despite the fact that until now the Federal Reserve Board has imposed checks on instalment selling. Its authority to do so expired on November 1, another victim of the Republican drive to abolish all controls. That undoubtedly means added fuel for the inflationary fires.

Still more serious in its implications is the rapidly mounting volume of credit which the banks are extending to industry. "Since the middle of the year," Chairman Eccles of the Federal Reserve Board declared a few weeks ago, "total loans and investments of commercial banks have been expanding at a rate equivalent to $10 billion a year. If this should continue it would provide an inflationary force more than double the anti-inflationary effect of the prospective surplus in the federal budget." The traditional means by which a central bank combats credit inflation is raising interest rates, and in the past few months there have been cautious moves in this direction. The Reserve Banks have stopped buying ninety-day Treasury bills at ⅜ per cent—the rate at which they were pegged throughout the war—and this has led to a slight hardening of short-term money rates and to a modest fall in the price of long-term government bonds. But the manipulation of interest rates is a two-edged weapon. Encouraging them to rise far enough and fast enough to exert a real influence on credit would mean additions to the already heavy cost of carrying the national debt. And, more immediately, it would force a sharp fall in quotations of outstanding government bonds and so impair the financial position of the banks, which have a large part of their assets invested in such securities.

In their last annual report the Board of Governors of the Federal Reserve Board asked Congress to provide it with greater powers over the investment and loan policies of member banks. They wished to be able to limit the amount of investments and longer-term loans which each bank may make and to check the sale of short-term governments—the device used by the banks to swell reserve deposits and so increase their basis for making longer-term private loans.

At the time the report came out Congress was busy depriving the Federal Reserve Board of its limited power over consumer credit; so it is hardly surprising it ignored this new request. Moreover, the banking community lost no time in making it clear that it was hotly opposed to quantitative controls of bank portfolios.

We have now reached an inflationary stage when the refusal of this medicine may lead to an operation of a painful nature. The authorities have the power to raise reserve requirements in the New York and Chicago districts to 26 per cent, or by some $1.2 billion in New York alone. Since the New York banks have no excess reserves at this time, such an increase would force a large-scale realization of investments, causing a wide break in government-security prices. A further result would be the calling of many commercial loans, which would force the borrowers to dump inventories on the market as a means of raising cash. Obviously the authorities will be reluctant to take a step of this kind, which might easily swing us from violent inflation to violent deflation. But if Congress refuses to provide them with other tools to limit credit expansion, they may be compelled to use dynamite.

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# BOOKS *and the* ARTS

## SEARS ROEBUCK

"A passing cyclist winks; well, let her, let her!
If even my baked, cream blinds are alloy,
Slatted to bare me to these lambs of Satan—
My cotton nainsook union suit, my shoes
Elk-tanned, with woodsman's heels and safety toes,
Will sheathe me through the wilds of this bad world.
I write once more for a pronouncing Bible.

"But thumbing these leaves, I light upon a plasterer's hawk,
A wilderness of Women's Intimate Apparel.
A girl slides to me in ribbed flannel panties. . . .
Ah, gauds of earth! My heart catches in my throat:
Beware! the rockets poised above the world!
How even my oilskins, in the evil hour,
Blaze up around me! Ah, the fire, the fire!"

—So John Doe, Don Juan—ah, poor Honest John,
Mailing your endless orders west from Patmos!

RANDALL JARRELL

## The Intimate Robinson

*UNTRIANGULATED STARS.* The Letters of Edwin Arlington Robinson to Harry de Forest Smith (1890-1905). Edited by Denham Sutcliffe. Harvard University Press. $5.

"ALREADY at twenty-eight," says Robinson's distinguished French critic Charles Cestre, "he was in full possession of the qualities of content and of form which put him in the first rank of American poets." This early maturity has hitherto been a mystery only slightly dispelled by Robinson's brief account of his apprenticeship, "The First Seven Years," and by passages from his letters to Gledhill printed in the "Selected Letters" and in Mr. Hagedorn's biography. Now we have abundant information in this first major collection of Robinson's early letters. To the most intimate friend of his youth, later an inspiring teacher of Greek at Amherst, the poet unlocks his mind and heart. He permits us to date the composition of many poems appearing in his first three volumes and to watch the development of his craftsmanship through early drafts. Better still, we observe how the major themes of the poetry grew out of the ordeals of the poet's life.

These 158 letters to Harry de Forest Smith have been fortunate in their editor. Reared in a Kennebec River town near Robinson's Gardiner and formerly a teacher at Harvard, where Robinson passed two student years which were the greatest experience of his youth, Mr. Sutcliffe has been admirably prepared to explore allusions in ample notes and to provide an introduction that promotes sympathetic understanding of the poet and the poetry. Only in one respect does his interpretation seem to stray from the evidence of the letters. He represents Robinson's young manhood as too somber, disregarding the unfailing play of boyish humor and the moods of exultation when his writing was going well. It is not common to find a scrupulous annotator of a text in difficult handwriting so sensitive to the large issues of biography and of social and literary criticism. These letters, Mr. Sutcliffe observes, fail to support the conception of the young Robinson as a self-conscious rebel in literature, in religion, in economics and politics. Charles Eliot Norton seemed to him the only great man at Harvard; and Norton's vivid illustrations of how the America of the nineties was stifling art started his gradual movement toward social criticism. In the years after college his instinct was to escape into the Bohemia described in the alluring pages of "Pendennis" and "Trilby," or even to become an expatriate like Henry James, whom he greatly admired; yet the family and material ties that bound him to uncomprehending Maine made him a poet, as Mr. Sutcliffe acutely observes. The clash of his ambition with his environment is the dramatic core of these letters.

Written for his friend's eyes only, sometimes with injunctions that they be burned, they are a faithful, often week-by-week report of the state of Robinson's mind and heart from the bewildered years between high school and college through a period of growth and frustration until Theodore Roosevelt directs national attention to his neglected verse. Printed in their entirety, mingling the trivial with the important, they take on accents of unconscious nobility in crises. There is a cry from the depths of the poet's soul when his disappointment in love is followed immediately by news of Smith's approaching marriage, which threatens the only intimacy upon which he could lean in moments of discouragement. But he surmounts this trial by catching a vision of his uniqueness as an artist, born for a purpose transcending personal passion. Two years later the tragic death of his mother puts to a severer test the belief in the spiritual meaning of the universe which he had been building up as a protection of his art against the largely unconscious materialism of the time. The letter beginning in a matter-of-fact tone with, "How long do you think a man can live in hell?" and moving through an utterly convincing description of that hell to renewed spiritual affirmation may find a place in American literature comparable to that of Carlyle's Everlasting Nay and Everlasting Yea in English.

These letters illuminate Robinson's literary apprenticeship. They tell who his models were, including Frenchmen and Greeks who have hitherto only been guessed at. We follow the gradual shift of his taste from romancers like Black-

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more, Black, and F. Marion Crawford, in whom he found escape from an uncongenial environment, to the realists and naturalists, who taught him that there was "poetry in all types of humanity—even in lawyers and horse jockeys—if we are willing to search it out." The letters do not support the theory that Robinson was a prose writer who strayed into verse. The short stories over which he toiled immediately after Harvard were a compromise with the pressure to prove that there was money in writing. Poems kept interrupting them until he surrendered himself to poetry. His poems were so much a visitation from outside himself that he casts aside false modesty in speaking of them. He avows that he has originality and "the Hellenic spirit"; he appraises the qualities of his style and indulges in minute self-analysis which prepares us for his later psychological poems. The pride of the young genius comes out in disparagement of popular taste. But pride is tempered by humility before the ideal of perfection: "I may never get it, but I can climb and make myself believe that I shall." EMERY NEFF

## New Business for Business

*OR FORFEIT FREEDOM.* By Robert Wood Johnson. Doubleday and Company. $2.50.

THE alternative implied in the title of this pleadingly earnest book is suggested on the fly-leaf: "People must live and work together. . . ." It is spelled out in detail in a volume that is keenly intelligent in its analysis of the American economy, somewhat wishful in its recommendations, and probably obnoxious to most of the industrialists it is intended to reach. For although Mr. Johnson has some critical and convincing things to say about certain trade-union practices, it is on business that this prominent industrialist places the chief blame for the probability that our whole economic system is now "staggering toward collapse." Indeed, he writes, "most basic ills of our business system stem from business itself; labor's power has developed too recently to have much historical importance."

With a record as chairman of the board of Johnson and Johnson, vice-chairman of the War Production Board, chairman of the Smaller War Plants Corporation, and a brigadier general in army ordnance, Mr. Johnson cannot even remotely be charged with cherishing hopes for socialism. On the contrary, his overriding concern is to "get the system of private enterprise going, and get it going now," before "some other system is forced upon us—not by revolutionaries from Europe [Thomas committee, please note] but by popular demand." Salvation, he thinks, will not come from government—he does not believe that "bureaucrats will do what free men have not done"—but can come only from business itself, and only when business is ready to "discard some long-held and deeply cherished doctrines that violate present-day facts."

Chief among these offending doctrines is Adam Smith's principle of "Laissez faire, laissez passer," out of which grew a "code of business freedom that bordered on nihilism." When Herbert Spencer "welded Smith's economics to Darwin's theory of natural selection," the new industrial barons received philosophical "authority for competition as ruthless and impersonal as that waged by weeds and wild beasts." Greed, exploitation, strike-breaking, lockouts, injunctions, the perversion of government, and all the other sordid aspects of a rampant capitalism followed naturally. The great depression of the thirties and the popularly supported measures of the New Deal brought this era to an end, Mr. Johnson believes, though a few rugged individualists continued "to make themselves offensive as well as ridiculous."

But now business is committed to an error far greater than the social immorality of rugged individualism. It has failed to realize that "the laws of scarcity have been repealed." The preservation of the free-enterprise system, Mr. Johnson says, depends on the recognition of two premises: "that people can have the things they need, and that people intend to get them." This leads to an examination of America's potential production, the plight of the underpaid, the present anarchic method of determining prices, and the causes of labor dissatisfaction that go beyond the question of wages and hours.

Mr. Johnson sets up as his goal a nation of voluntary full production, with business preserving its independence by the mature rendering of "full service" to the community, with a pricing system that starts with the customer's ability to pay, with labor-management relations that rest not on suspicion and belligerence but on a generous acceptance of the workers' need for dignity, security, and "satisfaction in the job beyond the pay for doing it." In all these matters Mr. Johnson is specific, and his book, though of less than 300 pages, is filled with concrete proposals and suggested techniques, all informed with the knowledge of a man to whom meeting a pay roll is no novelty.

Nevertheless, there is a trusting quality about the volume that suggests Utopia rather than reality. While Mr. Johnson's voice of sweet reason calls for abundance, the steel industry wilfully curtails production in anticipation of a crash which its very conduct can only hasten; while he talks of a sane voluntary pricing system, the cost of living staggers the nation; while he cogently demonstrates the evils of underpaying millions of Americans, the business lobbyists maintain a steady pressure against


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any significant change even in the minimum-wage laws. As Mr. Johnson says, his proposals will either come voluntarily or they will be forced. It is well for him and other enlightened business men to plead for the voluntary method. And it is just as well for those of lesser faith in the social conscience of industry to turn to what seems to me the deeper problem of the times: how to impose government controls that achieve Mr. Johnson's objectives and still do not forfeit the freedoms that make life worth living.

ROBERT BENDINER

## Still Life

*PORTRAIT OF EDITH WHARTON.* By Percy Lubbock. D. Appleton-Century Company. $3.

IT IS probably not the happiest combination of circumstances that brings a real gentleman to depict a real lady, and if there is anything that stands out very clearly from Percy Lubbock's delineation of Mrs. Wharton, it is that the subject and the author answer very well to that description. With what infinite grace and elegance the author stalks his prey, like a pedigreed pussycat glutted with cream and so well cared for that it can afford to pity the victim, to play with it, and let it escape with hardly as much as a scratch on its sleek surface! Not that there is much excuse for comparing Mrs. Wharton to a mouse. Even all Mr. Lubbock's wonderful circumlocution cannot disguise the fact that if he had really caught up with her, and if she had been in a position to do so, she could have fought back and almost certainly have won.

And the circumlocution *is* wonderful: what magnificent rumbling periods—though they are, on occasion, inclined to die away with an arch little wheeze—what soft and glancing blows, and what provocative hints at a loving and deep understanding of a woman it must have been very difficult to love! But why must he have been so circumspect, and why did the contributors whose impressions he has collected in this book respond with almost the same degree of reticence that the author shows? Surely because a bolder portrait would have revealed something of a dictatorial and demanding snob, a cold and calculating social climber, and a heart buried under the thickest layers of egocentricity, only to be partly revealed when, in old age, so many of the defenses she had so carefully constructed against the world were to be cruelly torn down. Neither the author nor the contributors were the kind of people ever to put anything so vulgar on canvas: that was certainly one advantage that Mrs. Wharton gained by choosing her friends almost exclusively from among the *really* well-bred.

There are so many questions that remain unanswered: why, in the first place, did she ever become a writer? She adored social life, her position in American society was unassailable, and surely nothing that she encountered at Newport, Lenox, or New York could have pushed her very far in that direction. Why did her marriage with Teddy Wharton collapse? Why did she loathe America, and why did she choose France as her place of permanent exile—where even her most sympathetic friend, Mme de Taillandier, claims that she was never completely at home? And what, above all things, was exactly her relationship with her desiccated love-object, Walter Berry, whom, rumor has it, she jilted in youth, only to be jilted by him in later life? Answers to these questions need not come under the heading of idle gossip: they must be pertinent to her development as an author and a woman, and it would seem that the reader is entitled to a little more plain speaking when not too many people remain who are in a position ever to answer them.

The book, on its own polite level, does of course do some judicious and delightful unveiling. Daniel Berkeley Updike, the founder of the Merrymount Press at Boston, contributes a nice sketch of the American years and of Teddy Wharton; Lady Abercrombie discloses Edith's pretty feet and shoes in London, thus lifting her skirts a few centimeters higher than Mr. Lubbock ever dares to do; Charles du Bos, Mme de Taillandier, Robert Norton, and Mrs. Gerald Goschen, among others, show her in various more or less becoming lights in France. Mr. Lubbock tellingly reveals her reserve and her agonizing shyness, her intrepid interest in travel and love of new places, her passion for gardening and for good talk, her wonderful sense of the ridiculous, her great capacity for charity, and her pity for the unfortunate. However, one cannot help feeling all this to be, without greater clarification of her motivations than one is given, only the outer aspect of a much deeper and more humane character than is here revealed. For caginess and omission this book is only equaled by André Gide's "Journal," and one is forced to remark that it is very hard indeed to see Mrs. Wharton clearly for all the profusion of politeness and good prose.

ANTHONY BOWER

## Barrie's Letters

*LETTERS OF J. M. BARRIE.* Edited by Viola Meynell. Charles Scribner's Sons. $3.50.

BARRIE'S famous shyness apparently affected his pen as well as his tongue, and the result is that this collection of letters is strangely colorless—even astonishingly so coming from a writer whose professional personality was his stock in trade. The letters do, if you like, afford convincing evidence that Barrie, unlike so many preachers of sweetness and light, was almost abnormally gentle, polite, and generous in private life. In the whole three hundred pages of them there is scarcely a line unfavorable to any person or writer. Stevenson and, somewhat surprisingly, Thomas Hardy were his library heroes, but he professes to admire nearly everyone he mentions. Yet even when he is writing to the persons whom he seems to have known best and liked best there is no sense of ease in his communications, whether they are cast, as they most often are, in the form of rather matter-of-fact notes or attempt, as is sometimes the case, the kind of whimsy one expects from him.

Barrie certainly did not want to be a cold man, and he was capable of such substantial generosity as the transfer of perpetual rights to "Peter Pan" to a hospital for children at a time when those rights were worth two thousand pounds a year. Yet the effect of the letters, for all their politeness, is not warm. The editor says that none

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survive to the mother who so obsessed his emotional life, and it is perhaps significant that, in this collection at least, there are none to his wife either before or after the estrangement.

JOSEPH WOOD KRUTCH

## The Same Record

*LINCOLN THE LIBERAL STATESMAN.* By J. G. Randall. Dood, Mead and Company. $4.50.

THIS volume of essays on various aspects of Lincoln is clearly a collection of chips from Professor Randall's workshop, where his multi-volume biography is still in progress. It contains the solid virtues we have come to expect from Randall—the unremitting industry in collating differing versions of the same episode, the meticulous analysis of evidence, the careful weighing of alternative theories. Moot Points in the Lincoln Story is a good summary of the questions still open for the biographer; and Lincoln's Sumter Dilemma is an exhaustive reexamination of the old charge that Lincoln provoked the attack on Sumter. But on the larger issues of judgment Professor Randall continues in his same free-wheeling way, apparently unperturbed by the detailed critiques of the positions set forth in "Lincoln the President." The cults of Douglas and McClellan continue unabated; the Radicals are treated somewhat worse than the rebels; and the whole theory that the war might have been avoided is trotted out again as if it had never been subjected to a searching review by Bernard DeVoto in two numbers of *Harper's* and by other critics. Surely one function of such a volume as this would be to enable Professor Randall to answer his serious critics instead of playing the same old record as if everyone thought it was wonderful. The word "liberal" as used in the title is hardly given enough concrete meaning to serve more than a rhetorical purpose.

ARTHUR SCHLESINGER, JR.

*In an Early Issue of* The Nation

THE POETRY OF ROBERT FROST

BY RANDALL JARRELL

## Drama

JOSEPH WOOD KRUTCH

EURIPIDES, they say, was probably the most popular playwright who ever lived and has been performed a great many more times than even Shakespeare. For a good five hundred years he was the chief standby in a dozen cities of the ancient world, and now, after a lapse of nearly two millennia, he has come into his own again with the production of "Medea" at the National Theater. When the curtain went down after the performance I saw, spectators rose to their feet to shout "bravo" very much as if a new tenor were being welcomed at the Metropolitan, and though most of them no doubt thought that they were paying tribute chiefly to Judith Anderson's tempestuous acting, the total effect could not have been achieved without the contributions of both Robinson Jeffers, who made the new English version, and the original playwright. Euripides was wowing them—I choose my word with care—


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on Broadway as he had wowed them in Athens.

Even in his own day, we are told, literary conservatives regarded him as impudent and thought his clever modern versions of the old tales just a little bit vulgar. Here also, I suspect, history is about to repeat itself, and my guess is that the intellectuals rather than the populace will be inclined to make reservations concerning the current production. Already certain of my friends have expressed the opinion that Judith Anderson's performance lacks subtlety and that Gilbert Murray's version of the play should have been used instead of the new one. Concerning the first of these judgments I can only say that I was too powerfully held by the confident vigor of Miss Anderson's acting ever to ask whether or not it was good, and concerning the second only that no one who will actually compare the two versions can very well fail to see that, for stage purposes at least, that of Jeffers is vastly superior. Murray's translation is stilted and fuzzy. Its awkwardly "poetic" phrasing can hardly be spoken except in a poetical singsong fatal to any attempt at dramatic expressiveness, and its faded archaisms, though highbrows may put up with them, hang like a fog between an ordinary audience and the dramatist who is trying to reach them. Jeffers is, on the other hand, simple, perfectly clear, almost prosaic, and if he does not always succeed in avoiding clichés, even the clichés can be transformed—as Murray's poetical stereotypes could not—by Miss Anderson's acting. "Medea" is a play about a barbarian hell-cat who differed from the Greeks in nothing more conspicuously than in the fact that she saw no reason why she should not let herself go, and it is as such that she is played. I do not know whether or not anyone before me has noted how much Miss Anderson looks like the pictures of Mrs. Siddons, but she is a tragedy queen in the good old-fashioned way. John Gielgud, who directed the performance, is all but extinguished by her vehemence, and so, for that matter, is everyone else in the cast except Florence Reed, who manages to keep the nurse visible and effective. But the pallor of Jason and the rest is not anyone's fault. It is Medea's play, and Miss Anderson knows how to make it just that.

The Jeffers version omits entirely the last scene, in which Medea is carried away in a magic chariot, but that scene, so a classical friend informs me, is obviously intended in the original to be taken with tongue in cheek. In all other important respects Jeffers follows very closely not only Euripides's story but also the order of events and the general conduct of the plot. The actual words, on the other hand, he treats with the greatest freedom. He expands or cuts as he thinks fit and permits himself even greater liberties. When an image or a turn of speech seems to him ineffectual in English he quite boldly uses another for which there is apparently no warrant whatever in the text, and even that is not all, for whenever an implication of the original strikes him as likely to be interesting to a present-day audience but in need of clarification he does not hesitate to dot an *i* or cross a t. When, for instance, near the beginning, the nurse comments on the wilfulness of her mistress, Gilbert Murray makes her say: "Rude are the wills of princes; yea,/ Prevailing alway, seldom crossed,/ On fitful winds their moods are tossed:/ Aye, not with glory but with peace/ May the long summers find me crowned." In Jeffers she says: "Oh, it's a bad thing/ To be born of high race, and brought up wilful and powerful in a great house, unruled/ And ruling many: for then if misfortune comes it is unendurable, it drives you mad. I say that, poor people/ Are happier: the little commoners and humble people, the poor in spirit: they can lie low/ Under the wind and live: while the tall oaks and cloud-raking mountain pines go mad in the storm."

Many other crucial passages differ in the same way, but nearly always, I think, even the Murray version gives evidence of the fact that there is warrant in the original for the sentiment if not always for either the words or the emphasis. And even in the one instance where there does not seem to be warrant for even the sentiment, Jeffers's boldness may, it seems to me, be justified on the ground that he is only modernizing still further a playwright who was himself notoriously a modernizer. When Euripides makes Jason protest that he has adequately rewarded Medea for her services by bringing her from barbarous Asia to civilized Greece, there does not seem to be any hint of the possible irony which Jeffers makes perfectly explicit by allowing Jason to talk a little like a rotary-club president congratulating a refugee who has got at last to God's country. Yet even this, I confess, does not offend me. As a popular playwright Euripides would like to be made accessible again to a large public. Miss Anderson, Mr. Jeffers, and Mr. Gielgud are making him exactly that, and I do not think he would be inclined to blame them for doing precisely what he himself always did—namely, bring an old story up to date.

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## Films

JAMES AGEE

"NIGHTMARE ALLEY" is the story of a cold young criminal (Tyrone Power) who starts as a carnival "mentalist," moves on to a Chicago night club, and is on the verge of the big time (pseudo-religion, with prospects of a personal "temple" and radio station), when two of the women he has used gum up his act. The picture goes careful just short of all that might have made it very interesting; I gather from the handed-out synopsis that a temple sequence was made which does not appear in the show. Even so, two or three sharply comic and cynical scenes make it worth seeing—Power's wrangle over "God" with his wonderfully stupid but not-that-stupid wife (Coleen Gray), a scene which has some of the hard, gay audacity of "Monsieur Verdoux"; and every scene in which Taylor Holmes impersonates a skeptical but vulnerable industrialist. In any mature movie context these scenes would be no better than all right, and an intelligently trashy level of all right, at that; but this kind of wit and meanness is so rare in movies today that I had the added special pleasure of thinking, "Oh, no; they *won't* have the guts to do *that*." But they

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do; as long as they have any nerve at all, they have quite a lot. The rest of the show is scarcely better than average. Lee Garmes's camera work is lush but vigorous.

"Body and Soul," which gets very bitter and discreetly leftish about commercialism in prize fighting, is really nothing much, I suppose, when you get right down to it. But it was almost continuously interesting and exhilarating while I watched it, mainly because everyone had clearly decided to do every scene to a finish and because, barring a few letdowns, scene after scene came off that way. It is never as nervy as the best of "Nightmare Alley," but of its own kind it is more solidly made. I like both pictures because in both there is quick satirical observation, a sense of meanness to match the meanness of the worlds they are showing, a correct assumption of cynical knowledge in the audience which relieves them of the now almost universal practice of drawing diagrams for the retarded, and a general quality of tension and of pleasure in good workmanship, which now all seem to me to have been commonplaces of American movies of the early thirties and which rarely appear now without looking like cautious museum copies.

"Song of Love" takes the Liberty of Showing Johannes Brahms declare his love for Clara Schumann; but at least things aren't made easy for them by showing Robert having a petulant shindy with Lola Montez, Franz Liszt, or a bottle. In fact, Schumann reacts to the news like a gentleman, rather than a stallion disputing a question of overtime; thereby giving the movies practically their unique maturely intended scene on that subject. Liberties are also taken with the music; even so short a piece as Brahms's G-Minor Rhapsody is haggled to bits. I don't like these kinds of license even when they are excusable, or unavoidable. But very much to my surprise I did rather like "Song of Love." All such inaccuracies and mutilations, and some clumsy casting, and some wrongly styled acting, were in my feeling more than counterbalanced by the real tenderness and quiet in which the picture was obviously undertaken. About Arthur Rubenstein's back-screen performances, in the manners of the various musicians, I don't feel competent to judge. But whether or not it was in fact appropriate to Clara Schumann, I liked the contained, splintering-crystal style that was given her; thought Brahms gave a surprisingly subdued performance of his Rhapsody; and I think they would have been wise to call in Horowitz to double for Liszt's playing.

"Ride the Pink Horse" is practically revolutionary for a West Coast picture; it obviously intends to show that Mexicans and Indians are capable of great courage and loyalty, even to a white American, and can help him out of a hole if they like him. In a particularly gratifying scene the star-director, Robert Montgomery, escorts a young Indian girl, Wanda Hendrix, into the dining-room of the best hotel in a small New Mexico town, and the reactions of the diners and hired help are recorded with simplicity, accuracy, and courage. But she is shown also to be no serious threat in any traditional movie sense—a mere child with a crush on the white hero, not a possible sweetheart, and something of a little savage at that; and in spite of good intentions the chief Mexican, Thomas Gomez, is just a character actor. As for the central quarrel of the story, it is so carefully vague you can hardly follow it. Montgomery, for so many motives so dimly stated and so contradictory that you can believe in none of them, is trying to blackmail a war profiteer (well played by Fred Clark) whose exact crime, even whose business, we never learn. Whether it is dread of libel suits, the so-called international so-called style, or plain blind habit, few American films ever manage really to specify a character or a situation so that either can achieve personal life or general applicability; people merely dance their way, more or less ingratiatingly, through a sequence of windy generalizations. They are not by any fat chance intended to be confused with any persons living or dead or who might ever possibly have lived.

"Monsieur Verdoux" is again in circulation. Because I am leaving town for vacation, I haven't yet had a chance to check on the three "minor" cuts I hear have been made. If you can't get a vacation, by all means see it—and René Clair's "Man About Town," a mainly delightful movie which I saw too late for inclusion in this review.

I haven't seen "Variety Girl," but H. B. Darrach, of *Time*, has, and I think posterity should have the benefit of his definitive description of one of the players, Lizabeth Scott, as "a Milton Caniff version of the Mona Lisa."

## Music

B. H. HAGGIN

EVEN among the best ensemble pianists Franz Rupp is outstanding. What he creates around someone's playing or singing—a progression excitingly beautiful as playing of the piano, and exciting also in its continuous musical life, the musical continuity from one sound to the next—places him among the greats of our musical world. It represents gifts of the magnitude of theirs—not only the specific gift for ensemble performance, but gifts for the piano and for music which he has devoted, all these years, to creating musical life around the playing or singing of someone else. When he has used them long enough in the creation of autonomous musical life in performances of his own, his performance of Schubert's great posthumous A Major Sonata will have not only the over-all coherence of sections that it had in Town Hall recently, but the unfailing musical continuity from every sound to the next that it did not have; and the achievement of this musical continuity will bring with it the achievement of the finer gradations of tone that were lacking in that recent performance. I feel able to predict all this because he achieved it in smaller works—in Chopin's F minor Ballade, which he played with beautiful lyricism and plasticity (but without the customary mannered

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distortion of phrase, and built up to a hair-raising climax; and in exquisitely colored performances of Debussy's "Soirée dans Grenade" and "Reflets dans l'eau."

At one of the New York City Symphony concerts at City Center I heard young Arnold Eidus, winner of the international violin competition in Europe last year, and got a lot of pleasure from the elegance of the style in which he played his instrument and produced those lovely sounds from it—a style which a friend told me was very much like Thibaud's in his young days. I also enjoyed the musicality that revealed itself in Eidus's unaffected phrasing of some passages of the Mendelssohn concerto; but he played a great deal of the work with the distortions of the traditional virtuoso performance. And the joint performance of soloist and orchestra sounded as though Leonard Bernstein had given all the rehearsal time to other works on the program. One of these, Copland's "Statements," did not seem to me worth the trouble that had been taken with it; another, Gershwin's "An American in Paris," got an over-playing of detail that destroyed the continuity and effect of the work as a whole.

But at other concerts Bernstein demonstrated the powers required to get a by no means first-rate orchestra through a work as difficult as Stravinsky's "Scènes de Ballet," and to produce with this orchestra and the brilliant Tossy Spivakovsky a superbly assured performance of Stravinsky's Violin Concerto; and there was also an excellent performance of Piston's Violin Concerto with Hugo Kolberg. I have recently begun to get some enjoyment from certain of Stravinsky's later works that I didn't use to get; and I got it from occasional details in these two; but I still didn't care for them in their entirety. As for the Piston, I found the first movement engaging for once, but the rest just the usual meaningless rattle and clatter.

What one might have expected the New York City Opera Company to do poorly it has done astonishingly well—first Strauss's "Salome," and now Mozart's "Don Giovanni." The faults are mostly in what one sees on the stage—caused partly by the inadequacies of the City Center stage, and partly, in my opinion, by the poor taste of H. A. Condell, who designed the permanent set for "Don Giovanni," and by the pretentiousness of Theodore Komisarjevsky, who thought up some of the innovations in its staging. And it is the musical performance conducted by Laszlo Halasz that is so surprisingly good: I wasn't prepared to hear "Don Giovanni" sung as well as it was by James Pease, Norman Cordon, Brenda Lewis, Ellen Faull, Virginia Haskins, and Eugene Conley; and the only thing to criticize is the American enunciation of the Italian words, especially by Pease.

Of the rest of the repertory I heard only Rossini's "Il Barbiere di Siviglia," which was done very badly.

Apparently Richard Rodgers and Oscar Hammerstein II felt they must do something higher and nobler than merely writing some of the best musical shows we have had; and so they wrote "Allegro," a musical morality play, which —except for the periods occupied by a couple of good musical comedy songs —had me squirming with embarrassment all evening. On the other hand, "High Button Shoes," just a Broadway musical written by people I had never heard of—Jule Styne, Sammy Cahn, and Stephen Longstreet—which I went to only out of interest in Jerome Robbins's dances, turned out to be very amusing, with a Mack Sennett ballet by Robbins that is one of the most brilliant things I have ever seen.


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# Letters to the Editors

## A Public Radio Rather Than a Code

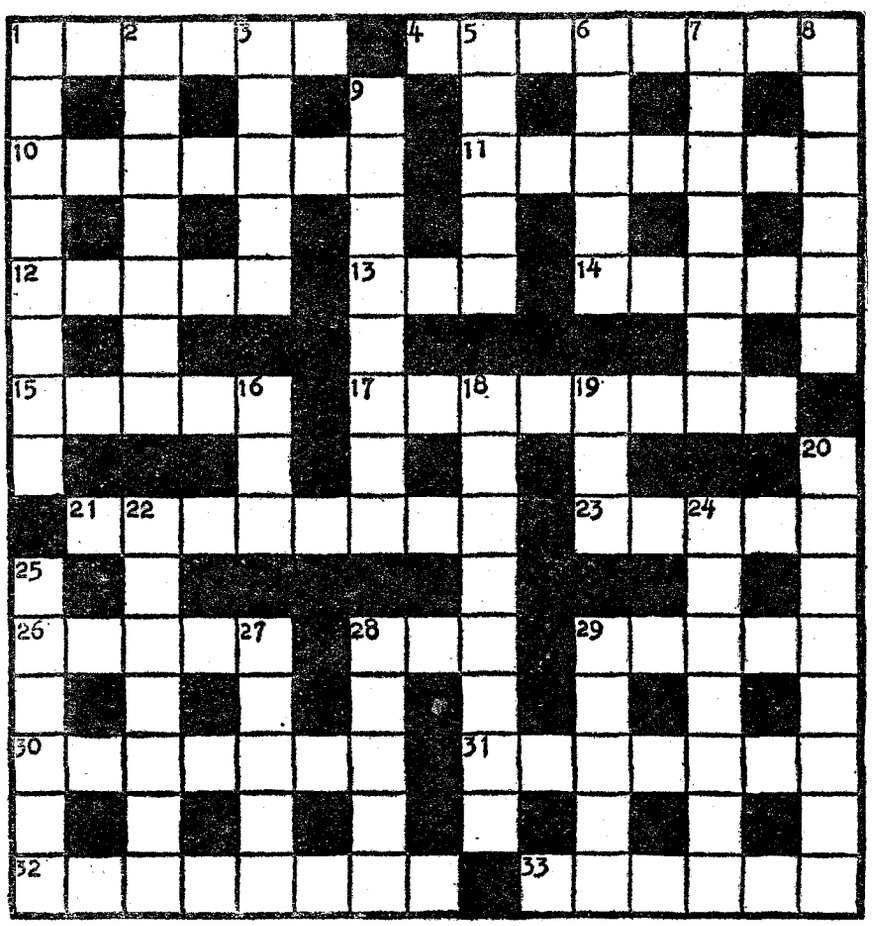
*Dear Sirs:* The radio is the single most important source of recreation and information for the overwhelming majority of the American people. *Ergo,* the proposed new code of standards for the radio industry should be of vital public interest. It is immediately apparent, however, that the code is being discussed, and will eventually be adopted, only by the radio-industry management. The result of this government by the élite in the radio industry is a culturally starved, ill-informed, and inartistic public.

The code itself actually codifies nothing but clerical bigotry and outright philistinism. All the worst features of a commercial "culture" are being officially decreed: a rigid control would tell our radio writers and artists in no uncertain terms what they are to say on such divergent subjects as religion, sex, divorce, drinking, narcotics, and matters "which are not acceptable conversational topics in mixed social groups."

Art has its own laws and can serve the public only if the artist is allowed freedom of expression. The best in the arts is not usually concerned with propaganda in any field—politics, religion, or even morality. Nevertheless, artists do have views on these subjects, and these views often become integral factors in their art. The code, as can be seen from the following direct quotations, would allow time on the air only for those artists who conform to the narrow concepts of morality which are propounded by vested institutions, chiefly the Catholic church: "The subject of religion should invariably be treated with respect"; "a priest or minister, when portrayed in his calling, should be vested with the dignity of his office"; "adultery and other infractions of moral law should not be made a vehicle for suggestive or offensive lines"; "insobriety or excessive drinking should not be portrayed as desirable or prevalent factors in American life, and reference thereto should be kept incidental to the development of plot or character"; "narcotic addiction should never be presented except as a vicious habit"; "criminals should always be punished, either specifically or by implication"; and so forth.

# Crossword Puzzle No. 236

By FRANK W. LEWIS



### ACROSS

1 Fired by Browning. (6)
4 Moor. (8)
10 Makes holier. (7)
11 Wig assessment? (4, 3)
12 Half this is certainly immature. (5)
13 Hard water? (3)
14 Slight. (5)
15 Tears are a painful subject to urbanites. (5)
17 Studied the lazy Dane. (8)
21 Rabbit-traps? (8)
23 French word to the wise saying. (5)
26 Pa's found around in the center of it. (5)
28 Get aboard this any way. (3)
29 A fast writer, obviously. (5)
30. To snub a maiden is usually 27. (7)
31 Self-announced throb? (7)
32 What the pin-boy must do at the game? (8)
33 Staple food-products are sometimes found in them. (6)

### DOWN

1 Sounds like a double order of fruit might make one sick. (8)
2 One would have to be brave to have relations with the Russians! (7)
3 Led down, after it comes up. (5)
5 From Paris to Venus. (5)
6 Worn by the "Ladies from Hell." (5)
7 Summary at the back of the court? (7)
8 Might tell you how pus is formed. (6)
9 How Kidd sounded his aitches? (8)
16 Correspondingly dear. (3)
18 A couple of fools within. (8)
19 May, in an uprising, be a southern favorite ordinarily. (3)
20 Unavailing description of Whittier's boy? (8)
22 A cat's got two eyes. (7)
24 Short journey for more than a pair? (7)
25 Tip your hats to the editor. (7)
27. Accidentally raised. (5)
28 It's evil to a degree. (5)
29 A lapse of this would not be a blooming error. (5)

### SOLUTION TO PUZZLE No. 235

ACROSS—1 CANON; 4 CROSSWORD; 9 BRIGAND; 10 TANKARD; 11 IDOL; 12 GLARE; 13 FITS; 16 LEEWARD; 17 ORGANDY; 19 TANGIER; 22 BEETLES; 24 POGO; 25 SMART; 26 OGRE; 29 NIAGARA; 30 LAPLAND; 31 PEDOMETER; 32 TODAY.

DOWN—1 CABRIOLET; 2 NOISOME; 3 NOAH; 4 CODDLED; 5 ONTARIO; 6 SING; 7 ORATION; 8 DUDES; 14 PARIS; 15 EGRET; 18 YESTERDAY; 20 NIGGARD; 21 RAMPART; 22 BURGLAR; 23 LAGGARD; 24 PIN-UP; 27 PALM; 28 SPOT.

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Implicit in all these prohibitions, of course, is the assumption that all moral problems have already been solved for eternity, and the solutions must be imposed upon all. Those who think differently, the heretics, must not be given a public hearing. Creeping into our public life here is the neo-Thomist mistrust of the democratic process.

As James T. Farrell has ably demonstrated in his booklet "The Fate of Writing in America," this tyranny has its roots in the completely commercial soil of Hollywood and the radio industry. For this reason, I believe that Americans would do well to study the policies of the government-operated British Broadcasting Corporation and New York's municipal station, WNYC —enterprises in which commercialism has been reduced to a minimum. The products of both experiments, in my opinion, are most refreshing to a listener accustomed only to the unspeakable trash of the commercial networks.

Radio's sole defense is one of inability: advertisers simply cannot afford to gamble with anything that does not guarantee an immediate audience of gigantic proportions. What democracy and art require, obviously, is elimination of the commercial factor.

Traditionally, government operation on the BBC pattern has been the only alternative posed in discussions of this kind. But government operation, the advocates of free enterprise point out with some validity, is objectionable for a number of reasons: the danger of propaganda utilization, and the fact that a bureaucratic censorship might develop which would be even more odious than the present commercial censorship.

However, it is a fallacy to assume that *public* ownership and control necessarily imply *government* management. In our Western states many communities have publicly owned power companies administered by elected committees and completely independent of all governmental bodies. Similarly, it is possible to elect independent public bodies, composed of recognized artists and scholars, to manage a publicly owned, non-commercial system of radio stations.

But a venture of this kind must be financed. The most desirable method, I believe, would be a special tax on surplus incomes, or, even better, a capital levy. And there are other possible methods: in many countries of Europe the radio is financed by a special tax levied upon all owners of radio sets, either as a sales tax at the time of purchase, or else through the sale of regularly renewable permits.

WERNER COHN

New York, October 25

## Communists Must Have Been Right Sometimes

*Dear Sirs:* I hope you will allow me to explain to your correspondent, J. Hayden Moore, Sr., that those of us who are genuine liberals, and have determined that it is essential to have nothing to do with the Communists, do not believe that Communists are always wrong; nor, as I read his letter, did Alfred Baker Lewis, whom Mr. Moore attempts to refute, make any such claim.

Communists have been at various times on exactly opposite sides of important labor and international questions. They were in favor of collective security against Nazi aggression, and then made a pact with Hitler. They are anti-imperialists so far as Indo-China, Indonesia, and India are concerned, and supporters of Russian imperialism in the Baltic states, Poland, and Rumania. They have appealed to the principle of national sovereignty against the alleged evils of the Marshall Plan and denied that principle when Czechoslovakia and Finland wanted to go along with the Marshall Plan.

In the labor movement they first favored and then denounced dual unionism. They have supported and opposed John L. Lewis. They supported strikes in America against national defense when Stalin and Hitler were allies, and later supported the no-strike pledge and even, alone among the ranks of organized labor, the move to conscript labor. They defend the Civil Rights Congress in the United States—in an effort to undermine the American Civil Liberties Union—and deny civil rights in countries which they control.

With such a record they must have been right at least sometimes.

JACK ALTMAN,
International Vice-President, Retail, Wholesale, and Department Store Union

New York, October 25

## The Importance of Libraries

*Dear Sirs:* Dr. Gumpert in his article Books and Bookkeeping in America, in *The Nation* of October 11, has overlooked the most important and characteristic feature of books in America—the public library.

It is possible that publishing, retailing, and personal ownership of books suffer somewhat from this free access to reading matter, but it is the very essence of our democratic tradition that no one should be deprived of the means of education. The American public library is known as "an integral part of public education." If Dr. Gumpert will visit the public libraries scattered all over the United States, he will meet the "bookish people" in every community.

The idea Dr. Gumpert presents of owning "sets" and building up a large private library seems to me undemocratic and wasteful. Aside from Shakespeare and other books of reference value, and a small selection of books that one cherishes for personal reasons, the most intelligent use of books is to pass them on to others to enjoy—to the American merchant marine and the like. Books as ornamental dust collectors fail to meet the challenge of democratic education. There is nothing sacred about a book except the message between the covers. Free access to books is the very heart of our democracy.

SARAH B. BALL

Kent, Conn., October 27

## Another Exchange

*Dear Sirs:* Would any reader of *The Nation* exchange his read copies for copies of the *New Statesman and Nation?* My address is 8 Harbour Road, Barry. RONALD T. HOWELL

Glamorgan, South Wales, October 1

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